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OSD Duties in the Respond Strategy

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PREFACE

The task documented in this report was performed by the Institute for Defense Analyses for the Office of the Under Secretary of Defense (Personnel and Readiness) and the Office of the Under Secretary of Defense (Policy). The report discusses the potential role of the Office of the Secretary of Defense (OSD) in that portion of the National Security Strategy known as the Respond Strategy.

The Project Leader is particularly grateful to his co-author, Mr. Robert Fabrie, who conducted the detailed research into the laws, executive orders, and regulations that describe OSD duties and responsibilities. His diligent research and attention to detail made this report possible.

This paper was reviewed by Dr. Wade Hinkle and RADM Robert Hilton (USN, Ret.)

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SUMMARY

During the Cold War, the global political and strategic environment provided a relatively stable but dangerous backdrop for U.S. mobilization planning. Contingency planning focused on a single powerful enemy, and the mobilization process in which the nation transitioned from peace to a worldwide war with the Soviet Union and its Warsaw Pact allies was both structured and practiced. There were relatively few uncertainties about the threat, our objectives, or the nature of the U.S. response.

Today the monolithic security threat of the Cold War has been replaced by pervasive uncertainty, characterized by regional conflicts; the threat of the proliferation of weapons of mass destruction; terrorist attacks in the United States and abroad; transshipment of illicit drugs; international crime; and political instability that threatens U.S. interests. These threats place heavy demands on U.S. forces that are further compounded by routine demands for humanitarian assistance and support for domestic emergencies.

The United States has responded to this change in the world environment by developing a three-component National Security Strategy. The first of these three components is the Shaping Strategy, which addresses U.S. efforts to shape the international environment in ways favorable to U.S. interests and global security. The second component is the Respond Strategy, which calls for the U.S. to respond to the full spectrum of crises that threaten our nation specifically. The third component is the Prepare Strategy, which calls for the U.S. to prepare for an uncertain future. While all three components of the strategy are important, the Respond Strategy is the only one that covers the actual use of U.S. forces in combat roles. Given the Secretary of Defense's responsibilities to the men and women of the Department of Defense and the role of the Office of the Secretary of Defense (OSD) as the principal staff support to the Secretary, the role of OSD in planning and executing the Respond Strategy appears to be particularly important.

Although the original intent of this study was to focus on mobilization-related duties and responsibilities, it quickly became clear that a focus on mobilization *per se* was inappropriate in the context of the new National Security Strategy. Mobilization is a Cold War concept that becomes increasingly inappropriate as the DoD incorporates many

aspects of mobilization in its day-to-day activities. The DoD has mobilized for operations in Bosnia, for example. Accordingly, the focus of the study was shifted to the role of OSD in the Respond Strategy. The study was conducted in two phases. In the first phase IDA monitored OSD participation in Exercise Positive Force. In the second phase, IDA reviewed the laws, executive orders, and DoD regulations that establish OSD Respond-related duties and responsibilities and compared those duties and responsibilities with actual OSD activities in the Respond Strategy.

The duties and responsibilities of the Office of the Secretary of Defense in all aspects of DoD operations are laid out in law, executive order, and DoD regulations. These laws, executive orders, and regulations clearly establish a set of duties and responsibilities of the Office of the Secretary of Defense associated with the Respond Strategy. Each of the four Under Secretaries of Defense and the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence has specific duties and responsibilities in both planning for and executing the Respond Strategy. Figure S-1 displays the functional responsibilities of each of these individuals as well as those of the Secretary of the Army in his role as executive agent for the Secretary of Defense.

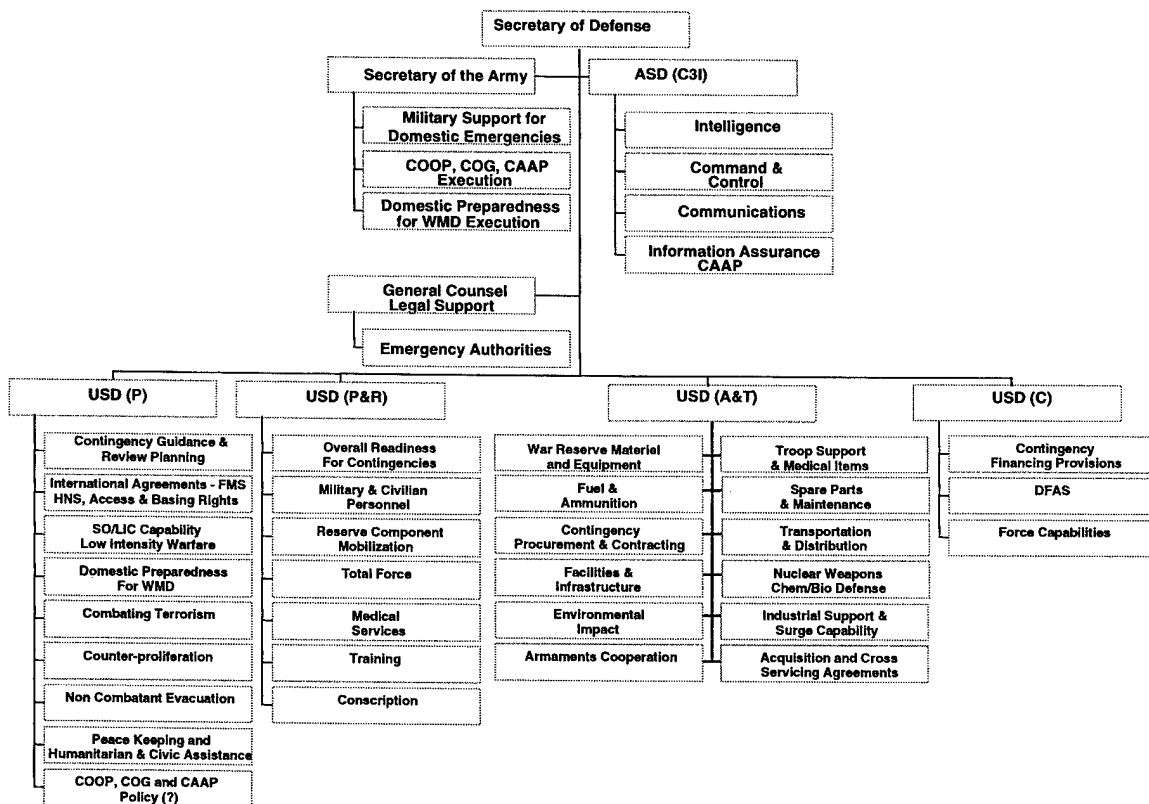


Figure S-1. OSD Has Policy and Oversight Responsibility for Key Functional Areas

The role of the Office of the Secretary of Defense in Respond-related activities has evolved over time. During the Cold War the OSD had a limited role in planning and executing activities that now fit under the Respond Strategy. Indeed, the Joint Chiefs of Staff sought to exclude all but the top civilians from Respond-related activities. There was a JCS staff procedure that prohibited the release of any operational information to the OSD. This situation began to change in the 1980s, first when the Secretary of Defense directed that OSD staff members begin to review the plans for strategic nuclear war and then in the early 1990s when, in response to the passage of the Goldwater-Nichols bill in 1986, OSD began to issue the Contingency Planning Guidance, which provides direction to conventional war planning, and to review those plans. In the years that followed, OSD began to contribute more and more to Respond-related activities.

Since the end of the Cold War, the Under Secretary of Defense (Policy) and his staff have been the primary participants in Respond-related activities. With the exception of the Deputy Under Secretary of Defense (Readiness), the other OSD principals and their staffs have not fulfilled their Respond-related duties and responsibilities. The limited OSD participation in Respond-related activities was clearly demonstrated in Exercise Positive Force, a mobilization exercise conducted in 1997.

This study examined OSD participation in Exercise Positive Force; OSD duties and responsibilities established in law, executive order, and DoD regulation; the history of OSD participation in Respond-related activities; current OSD activities; and Joint Staff roles and responsibilities. We concluded that OSD has important responsibilities in planning for and executing DoD activities associated with the Respond strategy. We also concluded that OSD should exercise these duties and responsibilities in close cooperation with the Joint Staff. In some areas of the Respond strategy the Joint Staff clearly has the primary responsibility and OSD a supporting role. In other areas the responsibilities are reversed. Regardless of who should have the lead, our review of the body of laws and regulations that govern both OSD and the Joint Staff and our review of the recent history strongly suggest that the Department of Defense functions most effectively when OSD and the Joint Staff work cooperatively together. Accordingly, we make a number of recommendations, which are consistent with the Defense Reform Initiative in that they would help "assure civilian control of all higher purposes and priorities of the DoD" and would provide "oversight, not day-to-day management, of DoD's operating components."

In general, we recommend that OSD take actions to ensure that it participates effectively in all three components of the National Security Strategy. The OSD role in the Respond strategy should be based on expanding existing precedents to cover the

entire Respond spectrum. OSD should work with the Joint Staff to develop a cooperative and effective relationship consistent with their mutual and shared responsibilities.

In fulfilling its Respond-related duties the OSD should consider the following specific recommendations:

1. It should assign responsibilities for coordinating OSD Respond activities to one official. That official should be within OUSD (P) and most likely should be the ASD(S&TR), who should be made responsible for coordinating all OSD Respond-related activities. This would be consistent with that ASD's current responsibilities for providing guidance for DoD planning across the Respond spectrum, the Contingency Planning Guidance, and for conducting the OSD review of deliberate plans across the Respond spectrum. The ASD(S&TR) should also be given the currently unassigned responsibility for coordinating DoD crisis response activities.

The ASD (S&TR) should also take over the responsibilities previously assigned to the Emergency Preparedness Planning office and currently in limbo. These responsibilities include emergency planning, mobilization, and exercise support.

2. OSD activities should expand across the Respond spectrum. The CPG should be expanded to cover all contingencies—foreign and domestic—and all Respond-related functions. The CPG thus would become the master document for DoD-wide Respond planning.

The OSD Contingency Plan Review should be expanded to include the entire Respond spectrum in both deliberate and crisis planning. Such an expansion would be consistent with Title 10 which calls for review of contingency plans in general. It would be consistent with the precedent established by current SIOP practices and with PDD-56 which calls for review of complex contingency plans. Indeed, PDD-56 procedures can serve as a model for the entire Respond spectrum. In addition, PDD-39 calls for review of terrorism-related contingency plans and the Counterproliferation Council reviews CINC and Service capabilities to fight in an NBC environment.

The OSD review process might be conducted entirely within OSD under the authority of the USD(P). Alternatively, OSD might work with the Joint Staff to create an integrated OSD/JS review process.

3. OSD participation should be expanded to include representatives of each of the Under Secretaries and the ASD(C3I). An OSD-wide team would participate in DoD Respond-related activities under the authority of the ASD(S&TR). The team would be semi-permanent to assure functional coverage while protecting operational security. This team would participate in the review of contingency plans and would serve as the basis for the OSD

crisis response team. It could also be responsible for rewriting, updating, and creating new Respond-related DODDs and instructions. This change would be consistent with the Joint Staff recommendation described in the body of the paper.

4. OSD should accept the Joint Staff recommendation to develop a mechanism to begin long-range planning at the onset of a crisis. The team described in recommendation #3 would be an appropriate forum for this type of long-range planning. Such a planning process might help to solve the problems that arose in Panama post-conflict, in Somalia in 1992-93, and in Haiti in 1993-95.
5. OSD should include capabilities and requirements analysis in the Contingency Plan Review process. This step is consistent with the precedent established in the OSD oversight of the SIOP. This kind of analysis is essential to any effort to tie true Respond capabilities to the program and budget efforts that are part of the Prepare strategy. Among the subjects or issues that might be analyzed are: (1) the ability to accomplish a range of possible objectives; (2) sensitivity analysis addressing different assumptions, e.g., warning time and deployment time, threat, readiness of units and materiel, etc.; (3) sensitivity to different levels of forces, e.g., what if some forces are already committed to an SSC; (4) adequacy of the counterproliferation and counterterrorism plans imbedded in each plan; (5) adequacy of logistic support provisions, including incorporation of External Support, and (6) availability of transportation, communications, and war reserve materiel.
6. OSD should identify and train personnel with Respond-related duties. All OSD personnel should be involved in preparing for exercises and/or involved in the exercise play and to utilize exercises as a means to ensure management oversight of Respond-related functional duties. Training initiatives might include the following, for example:
 - The existing exercise program could be used more aggressively.
 - Procedural, e.g., mobilization exercises, could be converted to decision-making exercises.
 - Large-scale decision-making exercises that cover the entire Respond spectrum and involve key military and civilian leaders could be conducted.
 - Short, policy-oriented decision-making exercises might be conducted.
 - Functionally-oriented exercises, e.g., industrial mobilization, medical mobilization, etc., could be conducted.

In all of these efforts, steps should be taken to engage other DoD participants such as the CINCs, Services, and Combat Support Agencies as well as non-DoD participants, e.g., interagency participants such as the NSC and State Department. In addition, industrial producers and providers of External Support—airlines, package delivery services, etc.—should be included.

OSD might also consider developing new techniques for training such as interactive, distributed systems that would be suitable for conducting distributed simulation exercises. These systems might be designed to be suitable for planning, rehearsing, and executing as well as training. One such system, Synthetic Environments for National Security Estimates (SENSE), is currently under development at IDA.

7. OSD should work with the VCJCS to expand the focus of the Senior Readiness Oversight Council (SROC) across the entire Respond spectrum. The VCJCS, Services, CINCs, Defense Agencies should expand their reporting to cover the Respond spectrum. OSD members of the SROC should focus on readiness in their functional areas. In addition to receiving reports, the OSD principals should provide management oversight of, and report on readiness in, their functional areas, e.g., transportation, counterproliferation, base rights and access, logistics, Reserve mobilization, and industrial surge. The DUSD Readiness should serve as the “readiness coordinator” to keep track of overall readiness across the Respond spectrum and to ensure a dialog between the SROC members. The SROC should make recommendations to SECDEF regarding policy or program changes necessary to overcome readiness problems that are identified either by the reports of the Services, CINCs, or Defense Agencies or by the OSD SROC members. The DUSD (R) should also track efforts to correct identified readiness problems.

Although our focus in this study was on management of the Respond Strategy, we also looked at the management processes employed in the Shape and Prepare strategies. We discovered, as Figure S-2 displays, that DoD has created three essentially parallel management systems. We believe that DoD management could be more efficient if the parallel nature of these three systems were recognized and efforts were made to exploit the potential for feedback and reinforcement that such parallelism provides.

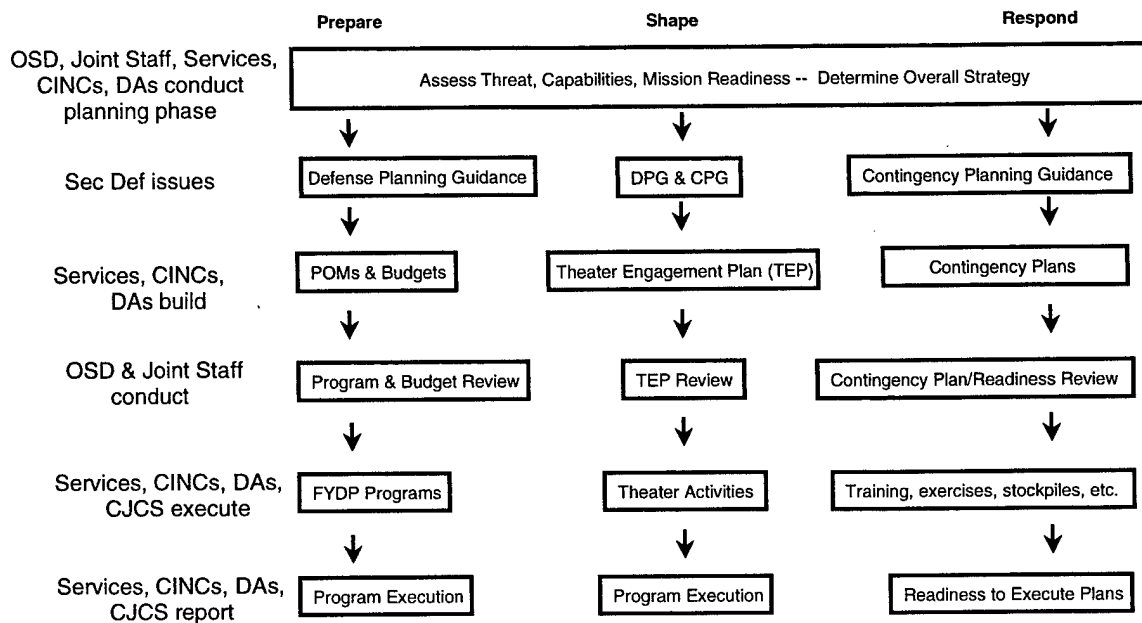


Figure S-2. DoD Management Systems

I. INTRODUCTION

During the Cold War, the global political and strategic environment provided a relatively stable but dangerous environment for the United States to accomplish mobilization planning. Contingency planning focused on a single powerful enemy, and the mobilization process in which the nation transitioned from peace to a worldwide war with the Soviet Union and its Warsaw Pact allies was well-structured and practiced. There were few uncertainties about the threat, our objectives, or the nature of the U.S. response.

Today the monolithic security threat of the Cold War has been replaced by uncertainty, characterized by regional conflicts, the threat of the proliferation of weapons of mass destruction, terrorist attacks in the United States and abroad, transshipment of illicit drugs, international crime, and political instability that threatens U.S. interests. These threats place heavy demands on U.S. forces that are further compounded by routine demands for humanitarian assistance and support for domestic emergencies.

A. THE CURRENT NATIONAL SECURITY STRATEGY

The National Security Strategy (NSS) has shifted from the Cold War monolithic threat and focus on nuclear war to a strategy of peacetime engagement and a flexible and selective response that fully employs the unique capabilities of our military forces. Most of the current mobilization policy, mechanisms, and processes were developed during the Cold War, when the scenario was well-known and the U.S. mobilization planning, processes, and systems focused on the ability to fight a global war. Today, however, U.S. Armed Forces are called on to respond to a full range of military operations—peacekeeping and humanitarian assistance, concurrent smaller-scale contingencies, and major theater wars. To effectively respond to these security challenges, the mobilization process must enable the military to rapidly respond to crises and defeat aggression of any kind.

In this context, the Department of Defense (DoD) needs to ensure that mobilization policy and guidance, programs, systems, and mechanisms are in place to meet the Secretary of Defense's Title 10 wartime responsibilities to respond to a full spectrum of conflict and other emergencies. Accordingly, IDA was tasked by the Deputy

Under Secretary of Defense for Readiness (DUSD (R)) and the Deputy Under Secretary for Policy (Policy Support) (DUSD (PS)) to explore and define the current set of responsibilities and systems for mobilization in the context of current security strategy. The study had three main goals:

- Define the current system and its assumptions, expectations, and processes as they are seen by the key players who must execute or rely upon mobilization
- Analyze the need for mobilization capabilities in the context of the current national security strategy
- Identify alternative approaches and solutions to mobilization concepts for the 21st century

Addressing these goals first requires an understanding of the NSS. Based on its analysis of the strategic situation the current administration has created a new National Security Strategy, which incorporates three central components. These components of the strategy are shown graphically in Figure I-1 and described briefly below.

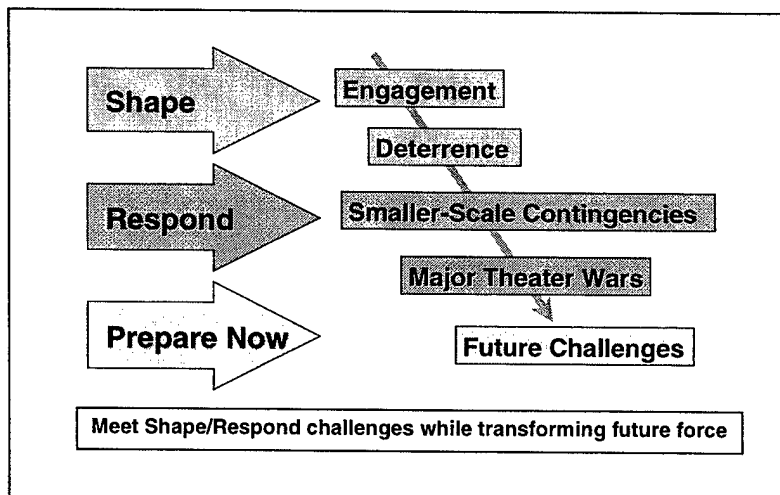


Figure I-1. U.S. Defense Strategy

- *Shape* the international environment in ways favorable to U.S. interests and global security. The DoD has an essential role in shaping the international environment. Defense efforts help promote regional stability, prevent or reduce conflicts and threats, and deter aggression and coercion on a day-to-day basis in many key regions of the world. Large portions of U.S. Armed Forces are stationed abroad permanently as well as deployed temporarily for Shaping-related activities such as exercises, training, and military-to-military

interactions. Moreover, programs such as defense cooperation, security assistance, international military education and training programs, and arms cooperation support the Shaping strategy.

- *Respond* to the full spectrum of crises that threaten U.S. interests by deterring aggression and coercion in a crisis, conducting small-scale contingency operations, and fighting and winning major theater wars. The high end of the scale—fighting and winning major theater wars—is the most stressing requirement for the U.S. military. Accordingly, the U.S. must have jointly trained and interoperable forces that can deploy across great distances with the ability to deter and defeat large-scale aggression in two distant theaters in overlapping time frames. This must be done in the face of such threats as the use of NBC weapons and other asymmetric threats including terrorism and information warfare. This capability is the sine qua non of a superpower and is essential to the credibility of our overall national security strategy.
- *Prepare Now* for an uncertain future in which the DoD will have to not only meet the demands of the Shape and Respond requirements in the near future but also continue to transform U.S. combat capabilities and support structures to meet future challenges in a continually changing and unpredictable world.

The study team has attempted to assess the study requirements in the context of this strategy, e.g., we asked how mobilization should be defined in the context of supporting current strategy and what are the relevant aspects of mobilization for the 21st century? We concluded that mobilization planning for the 21st century would need to encompass all aspects of the Respond component of the National Security Strategy. In other words, we believe that the focus of the study must be on the need for mobilization to support the Respond component of the National Security Strategy.

B. MOBILIZATION IN THE CONTEXT OF THE CURRENT NSS

The dramatic changes that have taken place since the end of the Cold War, including the character of the military threats now facing the United States, have resulted in major changes in DoD infrastructure and force structure. The DoD has undergone substantial reductions and reorganization to better reflect the realities of the post-Cold War era. The most likely challenges facing the military will be conducting concurrent and multiple small-scale contingencies (SSCs), requiring significant commitments of both Active and Reserve component forces. The most challenging military requirement will be to transition from a position of global engagement and multiple SSCs to fighting and winning two nearly simultaneous major theater wars. Both SSCs and major theater

war will place a premium on the U.S. military's ability to respond quickly and substantially, act in a coalition or alliance of diverse partners, and work effectively with other government agencies and non-government organizations.

Planning for mobilization in this context is different from Cold War mobilization planning, which focused on the Soviet threat of a conventional war in Europe. Cold War mobilization considerations were often the basis of planning and programming for investments in force structure; training and exercises; types of materiel; infrastructure; and the processes, systems, mechanisms, and organization support capabilities needed to support a totally mobilized force capable of fighting a multi-year war. Mobilization planning and programming guidance was also included in the Defense Planning Guidance.

Mobilization planning during the Cold War was relatively simple. There were few uncertainties about the objectives or nature of the U.S. response. Force structure, types and quantities of materiel, supporting infrastructure, and allies were well defined and understood. The Cold War mobilization process required prearranged host nation and cooperative logistic support arrangements, access rights and agreements, crisis management mechanisms, close integration and working relationships with federal civil agencies, private industry, allied governments, and their industry and military organizations. In general, the mobilization process was a well-structured and practiced process that transitioned the nation from peace to war.

The situation today is quite different. U.S. forces are mobilized to a small degree at all times, but only the most demanding of near simultaneous major theater war scenarios involve full mobilization, i.e., call-up of the entire Reserve component, and none involve the resource sufficiency issues of total mobilization. The current NSS describes a post-Cold War world in which U.S. forces will be required to respond to a wide range of crises in which there will be great uncertainty about political and military objectives and about the nature of the appropriate U.S. response. Whereas in NATO we expected to fight in a long-established coalition, in the current situation U.S. forces must be prepared to organize coalitions, access rights, host nation support, and many other aspects of a contingency on the fly. Thus, in a dynamic, uncertain security environment, U.S. mobilization capabilities must take on a very different aspect from those in the Cold War.

In summary, many Cold War mobilization aspects remain:

- Activate Reserve component forces to augment the Active component
- Surge and expand training activities
- Mobilize industry to provide repair parts, consumables, and ammo
- Divert industry from civilian to military needs
- Organize the nation's transportation assets and medical supply system
- Organize the nation's communication system to meet military needs

However, there are many new tasks that must also be performed in a future mobilization:

- Arouse the nation to the threat facing its security interests
- Determine political and military objectives
- Determine the mission and the force requirements
- Establish coalitions
- Arrange access, external support, etc.

The responsibility for overseeing both the traditional and the new aspects of mobilization and for resolving both the policy and resource issues that arise in the conduct of these activities belongs to the Office of the Secretary of Defense. Hence, OSD's role in mobilization planning needs to be reevaluated in the new security context.

The need for a mobilization capability was demonstrated in Exercise Positive Force in late 1997. This was the first DoD-wide mobilization exercise since Desert Shield/Desert Storm. This JCS-conducted exercise clearly demonstrated the link between DoD's mobilization capability and the Respond Strategy. It also pointed to serious deficiencies in our ability to respond to the demands of a major theater war (see appendix A). Three findings of the exercise are particularly important: (1) Many of the key mobilization policies, directives, and mechanisms were designed to support a Cold War national security strategy and have not been changed to reflect the new organizational structure and responsibilities or to reflect current security strategy; (2) Many of the OSD staff participants were unfamiliar with their Respond-related duties; (3) There was no single OSD office responsible for policy oversight or to ensure the ability of the Department to meet its Title 10 wartime Respond responsibilities.

If mobilization is essential to the Respond strategy, it then becomes important to identify the contingencies in which mobilization is essential. Figure I-2 describes the Respond spectrum that is suggested by our review of the Quadrennial Defense Review and the National Security Strategy.

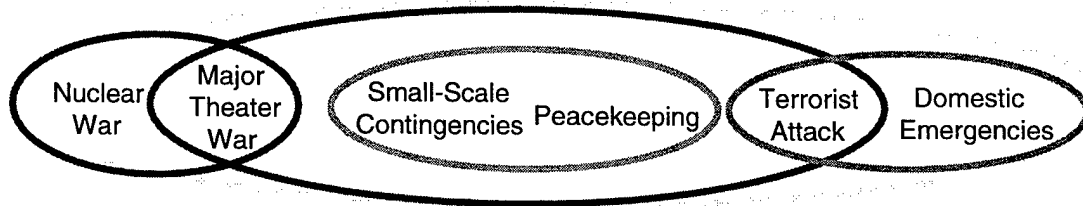


Figure I-2. OSD Must Perform Its “Mobilization” Duties across the Respond Spectrum

Figure I-2 is intended to demonstrate how the Respond Strategy must cover a wide range of possible responses, from strategic nuclear war on one hand to domestic emergencies on the other, and to suggest that there is the potential for overlap among the various contingencies represented on the Respond spectrum. Mobilization planning cannot focus on a single small-scale contingency, for example, but must also consider the possibility that the crisis might expand to a major theater war or include terrorist attacks and domestic emergencies. In short, DoD must be prepared for a full spectrum response.

The military must also have the ability to conduct operations in a chemical and biological warfare environment and to defend against terrorist attacks. If rogue nations acquire the means to deliver weapons of mass destruction, a major theater war may escalate to nuclear war. Small-scale contingencies may escalate to a major theater war or be reduced to peacemaking or peacekeeping efforts where the main threat is terrorist attack. U.S. forces may encounter asymmetric attacks against deployed forces overseas or at home against critical infrastructure or military bases and facilities. Issues of counterproliferation, force protection, and response to a terrorist attack at home or abroad will have a large bearing on our ability to respond. In virtually every one of these contingencies some aspect of mobilization will be involved.

Much current planning, resource management, and policy oversight for contingency planning is “stovepiped” with no central oversight below the Secretary of Defense. Contingency planning, Respond-related policy and resource management programs, and crisis management duties are dispersed over many different offices and functional elements within OSD, the Military Services, and DoD components.

Policy oversight for counterproliferation activities, responsibility for writing the Contingency Planning Guidance (CPG), and responsibility for review of contingency plans and the SIOP is under the Assistant Secretary of Defense for Strategy and Threat Reduction (ASD (S&TR)).

Policy oversight for counterterrorism, domestic preparedness for weapons of mass destruction (WMD), humanitarian assistance, noncombatant evacuations operations (NEO), peacekeeping, and small-scale contingencies is the responsibility of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD (SO/LIC)).

Policy oversight for all aspects of national security emergency preparedness (NSEP), continuity of operations, continuity of government, and OSD participation in exercises and other Respond-related (mobilization) duties was part of the responsibility of the DUSD (PS). The ODUSD (PS) was disestablished as part of the Defense Reform Initiative (DRI). All of these organizations are under the Under Secretary of Defense for Policy.

Policy management oversight and program execution for the protection of critical assets is under the ASD for Command, Control, Communications and Intelligence, ASD (C3I). The Respond-related concerns here are preparedness for physical and cyber attacks against critical infrastructure that could affect national security and military operations. Attacks that might be the result of state-sponsored terrorism or incident to war overseas are the responsibility of ASD (SO/LIC). The Secretary of the Army's Director of Military Support is responsible for execution of DoD terrorist-related support of civil agencies.

The Director of Military Support (DOMS), under the Secretary of the Army, the Executive Agent, is responsible for executing the Department's response to the following programs: (1) consequence management resulting from terrorist attacks and catastrophic natural events; (2) execution of the domestic preparedness for WMD programs; (3) continuity of operations; and (4) other military support to civilian authorities. In addition, the OSD policy management oversight for many of these programs is diffuse if not nonexistent. ACOM is the force provider for these operations.

C. FOCUS OF THIS STUDY

Given the recognition that mobilization is a central part of the Respond strategy and the recognition that the term "mobilization" has a decidedly Cold War aspect, we have refocused the study on what we hope is a more relevant issue. The basic question we

have attempted to address in this study is, *What should be OSD's role in assuring the effective execution of the Respond component of U.S. National Security Strategy?* We have focused our analysis in three specific areas:

- Peacetime planning and review
- Crisis management
- Readiness reporting

Chapter II sets forth the Respond-related responsibilities of the Secretary of Defense and OSD specified in law, Executive Orders, and DoD Directives. Chapter III examines the historical role of OSD in Respond-related activities. Chapter IV then looks at the current role of OSD in these activities, while Chapter V summarizes the Joint Staff view of the OSD role as evidenced in Exercise Positive Force 98. Chapter VI ties it all together with conclusions and recommendations.

II. SECDEF AND OSD AUTHORITIES AND RESPOND-RELATED DUTIES

This chapter describes the Respond-related responsibilities of the Secretary of Defense and his principal assistants, the four Under Secretaries of Defense and the ASD C3I. These responsibilities are specified in law, in Executive Orders from the President to the Secretary of Defense, and in DoD Directives that are issued by the Secretary of Defense. Although many of these authorities have not been specifically updated to the terms of the new National Security Strategy (NSS), and most do not refer specifically to the Respond Strategy, they remain in effect and clearly lay out a series of Respond-related duties that appear to be at least as relevant to the Office of the Secretary of Defense as are its Shaping and Prepare-related duties.

Following is a detailed description of the Respond-related duties of the Secretary of Defense and of each of his principal subordinates. Readers may wish to skip directly to the description of the duties in their area and then move on to the summary on page II-14.

A. THE SECRETARY OF DEFENSE AND PRINCIPAL DEPUTIES

The Secretary of Defense (SECDEF) is the principal assistant to the President in all matters relating to the Department of Defense (10 USC 113). Subject to the President and to Title 10 and section 2 of the National Security Act of 1947 (50 USC 401), the Secretary has authority, direction, and control of the Department of Defense. In other words, the Secretary of Defense is responsible for all matters relating to the DoD ability to execute the Respond component of the National Security Strategy. Respond-related guidance to the Secretary of Defense is contained in law, Presidential direction, and Executive Orders.

The chain of command to specified and unified commands, unless otherwise specified by the President, runs from the President to the Secretary of Defense to the commander of a unified or specified command (10 U.S.C.162). In fulfilling Title 10 Respond-related duties, the Secretary, after consultation with the Chairman of the Joint

Chiefs of Staff (CJCS) and with approval from the President, is required to annually provide written policy guidance. The Secretary is also responsible for the preparation and review of contingency plans, including projected force and resource levels.

Other SECDEF Respond-related reports required by Title 10 include: (1) a net assessment of defense capabilities and programs of the United States and its allies; (2) a comparison with capabilities of potential adversaries; (3) past and forecasted trends in capabilities and programs; and (4) a description of the means by which the Department will maintain the capability to reconstitute and expand the defense capabilities and programs on short notice to meet a resurgent or increased threat to national security.

The Office of the Secretary of Defense (OSD) is to assist the Secretary of Defense (10 USC 131). The OSD staff supports the Secretary of Defense in meeting the duties and responsibilities prescribed by law and Presidential direction through issuing policy and guidance, overseeing the Military Services and DoD components, executing policy and programs necessary to support the Respond Strategy, and ensuring resource allocations will provide for the Department's ability to execute the NSS.

Respond-related duties and responsibilities for the OSD staff are also contained in DoD Directives, instructions, and plans and in other DoD issuances, such as directive-type memorandums, used to convey SECDEF or DEPSECDEF approved policies, responsibilities, and procedures.

The OSD staff has a management and leadership role in support of the Secretary in fulfilling these and other Respond-related duties and responsibilities. To assist the OSD staff in meeting its duties and responsibilities in support of the Secretary, Section 131 further directs that the Secretary of each Military Department and the civilian and military leaders of the Armed Forces under the jurisdiction of the Secretary shall cooperate fully with personnel of the OSD to achieve efficient administration of the Department of Defense and to carry out effectively the authority, direction, and control of the Secretary of Defense.

The *DoD Organization and Functions Guidebook* outlines the functions of the OSD staff. This document identifies the Office of the Secretary of Defense as the principal staff element used by the Secretary to exercise authority, direction, and control over the Department of Defense. The guidebook lists the following Respond-related management duties.

- Develop and promulgate policies in support of the U.S. national security objectives.

- Provide oversight to ensure effective allocation and efficient management of resources consistent with Secretary of Defense approved plans and programs.
- Develop appropriate evaluation mechanisms to provide effective supervision of policy implementation and program execution at all levels of the Department.
- Provide the focal point for Departmental participation in the U.S. security community and other Government activities.

The guidebook also provides key Respond-related duties pertinent to OSD functional assignments:

- Initiate programs, actions, and tasking to ensure adherence to DoD policy and national security objectives and to ensure that programs are designed to accommodate operational requirements.
- Conduct analysis, develop policies, provide advice, make recommendations, and issue guidance on defense programs.
- Review and evaluate recommendations on requirements and priorities.
- Review resource programs, formulate budget estimates, recommend resource allocations, and monitor the implementation of approved programs. Participate in those planning, programming, and budgeting activities that relate to assigned functional areas of responsibility.

Unless specifically prohibited by law, the Secretary may, without being relieved of his responsibility, perform any of his functions or duties, or exercise any of his powers through, or with the aid of, such persons in, or organizations of, the Department of Defense as he may designate (10 U.S.C.113).

DoDD 5025.1, DoD Directives System, defines directives as documents that provide policy required by legislation, the President, or the Secretary of Defense to initiate, govern, or regulate actions or conduct by the DoD components within their specific areas of responsibility. Specifically, directives establish or describe policy, programs, and major activities and organizations; define missions; delegate authority; and assign responsibilities. According to the directive, it is DoD policy that OSD shall focus primarily on providing policy guidance, fixing responsibility, and establishing appropriate mechanisms for feedback and oversight.

The Secretary has assigned the following Respond-related duties to the Under Secretaries of Defense and other OSD Principal Staff Assistants (PSAs).

DoDD 5111.1, Under Secretary of Defense for Policy, 3/22/95. The USD (P) is the principal staff assistant and advisor to the Secretary and Deputy Secretary of Defense

for all matters concerning the formulation of national security and defense policy and the integration and oversight of DoD policy and plans to achieve national security objectives.

In exercising of this responsibility, the USD (P) shall:

- Serve as a member of the NSC Deputies Committee, serve as a member of the Deputies Committee for Crisis Management and advise the Secretary on crisis prevention and management, including contingency planning for major areas of concern.
- Develop, coordinate, and oversee the implementation of international security strategy and policy; political-military policy... to include arrangements for U.S. military facilities, access and operating rights, and status of forces; and policy on all matters relating to prisoners of war and missing in action.
- Develop, coordinate, and oversee the implementation of strategy and policy for strategic and theater nuclear offensive forces as well as strategic and defensive forces. Review and evaluate plans, programs, and systems requirements for such forces and systems to assure consistency with strategy and policy.
- Assist the Secretary of Defense in developing national security and defense strategy. Advise on the resources and forces necessary to implement that strategy. Assist the Secretary of Defense in preparing written policy guidance for the preparation and review of operational and contingency plans, including those for nuclear and conventional forces, and reviewing such plans (10 U.S.C. 134).
- Develop policy guidance, provide overall supervision, and provide oversight of planning, programming, budgeting, and execution of special operations activities, including civil affairs and psychological operations, and of low-intensity conflict activities, including counterterrorism, support to insurgency, and contingency operations (10 U.S.C. 138).
- Develop policy and provide oversight for emergency planning and preparedness, crisis management, defense mobilization in emergency situations, military support to civil authorities, civil defense, and continuity of operations and government.

DoDD 5124.2, Under Secretary of Defense for Personnel and Readiness, 10/31/94. The USD (P&R) is the principal staff assistant and advisor to the Secretary and Deputy Secretary of Defense for Total Force management as it relates to readiness,

National Guard, and Reserve component affairs; training and personnel requirements; and management. In this capacity the USD (P&R) shall:

- Develop policies and plans for—
 - Total Force personnel and their allocation among DoD components and between the Active and Reserve components to ensure efficient and effective support of wartime and peacetime operations, contingency planning, and preparedness (10 U.S.C. 10102).
 - Health and medical affairs sufficient to provide, and maintain readiness to provide, medical services and support to members of the Armed Forces during military operations.
 - Reserve component affairs to promote the effective integration of Reserve component capabilities into a cohesive Total Force (10 U.S.C. 138).
- Serve as OSD focal point for readiness issues. Develop policies and processes to ensure forces have sufficient readiness to execute the NSS. Oversee Total Force personnel and medical readiness. Coordinate with other Principal Staff Assistants and cognizant officials in the Office of the Chairman of the Joint Chiefs of Staff and in the Military Services on other aspects of readiness.
- Analyze the Total Force structure as related to quantitative and qualitative military and civilian personnel requirements, utilization, readiness, and support.
- Review and evaluate the requirements of the Defense Acquisition Board's major Defense acquisition programs and proposed weapons systems for personnel, training, and readiness implications, and the implications of weapons system maintainability for qualitative and quantitative personnel requirements and readiness.

The Deputy Under Secretary of Defense for Readiness, DUSD (R), under the Under Secretary for Defense (Personnel and Readiness), USD (P&R), is the OSD focal point on all issues and activities related to readiness. The DUSD (P&R) supports the USD (P&R) for readiness and Respond-related matters by developing policies, plans, and programs to ensure readiness of the Total Force for peacetime contingencies, crises, and conflict operations. Specific DUSD (R) Respond-related functions follow:

- Coordinate USD (P&R) crisis response to operational requirements.
- Provide support to the DoD Senior Readiness Oversight Council (SROC), the Readiness Working Group, and ad hoc high level readiness task forces. The SROC provides a forum to uncover and solve problems in the near-term

readiness of the force. SROC readiness assessments consider overall joint preparedness of our Armed Forces to carry out the NSS.

- Oversee and initiate analyses and studies that support DoD's readiness, training, and crisis planning and response functions.
- Ensure training programs and resources are sufficient to produce ready forces.
- Develop, test, and evaluate policies and programs for the use of military and civilian members in contingencies

DoDD 5134.1, Under Secretary of Defense for Acquisition and Technology, 6/08/94. The USD (A&T) is the principal staff assistant and advisor to the Secretary and Deputy Secretary of Defense for all matters relating to the DoD Acquisition System: research and development, advanced technology, test and evaluation, production, logistics, military construction, procurement, economic and environmental security, and atomic energy. A clear sign of the lack of attention paid to Respond-related duties is the fact that this basic directive identifies no such duties for the USD (A&T). Despite this omission, the Under Secretary has a number of critical Respond-related functional responsibilities and SECDEF-delegated authorities.

- Functional Respond-related responsibilities of the USD (A&T) are listed below. There are many legislated and Presidential directed Respond-related responsibilities and duties associated with these functional areas. Although, too numerous to be listed here, specific authorities are cited with each of the functional areas. (For a more complete list see appendixes B and C.)
 - Serves as the DoD Procurement Executive and the Defense Acquisition Executive. Responsible for contingency contracting, making amendments and modifications of contracts to facilitate the national defense (10 U.S.C. 2304 (b)& (c)), PL 85-804, and E.O 10789 as amended).
 - Develops assessments of, and establishes policies to maintain, the capability of the U.S. defense industry to meet DoD needs. Includes sustaining production, maintenance, repair, and logistics for military operations of various duration's and intensities (10 USC 2501, 2534, and 2538).
 - Delegates responsibility for the Defense Priorities and Allocations System (DPAS) (50 U.S.C. 2061 et seq. and E.O. 12742).
 - Provides a comprehensive and continuous Defense Industrial Reserve Program (10 U.S.C. 2535).

- Supervises the management and performance of the Strategic and Critical Materials Program pursuant to Executive Order 12656 and a SECDEF delegated authority to the USD (A&T) (50 U.S.C. 98 et seq.).
- Oversees logistics acquisition and management, to include supply systems, weapons systems logistics elements, items standardization, transportation, energy, warehousing, distribution, and related activities (10 U.S.C. 2218 - National Defense Sealift Fund, 10 U.S.C. 2464 - Core logistics functions; 10 U.S.C. 2390 - sale of prepositioned war reserve stocks; 10 U.S.C. 2631a - Contingency planning for sealift, related intermodal and related transportation requirements; 10 U.S.C. 4742 and 9742 - assume control of transportation systems in emergency; 50 U.S.C. 2051 et seq. for VISA and CRAF; 50 U.S.C. 1744 the (National Defense Reserve Fleet); NSDD 28 - National Security Sealift Policy, and NSDD 280 - National Airlift Policy).
- Oversees force modernization and sustainability and the availability of fielded major weapons systems.
- Oversees co-development, co-production, co-procurement, logistic support, wartime host nation support, and research interchange with friendly and Allied Nations (10 U.S.C. 2342 and 2350b).
- Oversees construction and installations management (10 U.S.C. 2672a, 2687, 2803, 2804, 2808, 4476 and 9776).
- Defense atomic energy, chemical warfare, and biological defense plans and programs (50 U.S.C. 1511 - Chemical and Biological Warfare Program, 50 U.S.C. 2311 - Domestic Preparedness for WMD).

The USD (A&T) exercises authority, direction, and control over two combat support agencies (CSAs) that also have important Respond-related duties. The Defense Logistics Agency (DLA) is responsible for all consumable items, including their acquisition, warehousing, and distribution. The Defense Threat Reduction Agency (DTRA) is responsible for chemical and biological defense programs and materiel, NBC defense, counterproliferation (CP) of WMD, force protection, cooperative threat reduction (CTR) programs, and on-site inspection.

DoDD 5118.3, The Under Secretary of Defense (Comptroller), 1/06/97. The USD (C) is the principal advisor and assistant to the Secretary and Deputy Secretary of Defense for budgetary and fiscal matters and the Chief Financial Officer of the Department of Defense. Like the USD (A&T), the USD (C) has no assigned Respond-related duties and responsibilities identified in the directive. The USD (C) has functional

responsibilities that are important to the Department in meeting Respond-related duties and responsibilities. These responsibilities are described in DoDD 3020.36 and are discussed below.

DoDD Directive 5137.1, Assistant Secretary of Defense (Command, Control, Communications, and Intelligence), 2/12/92. The ASD (C3I) is the principal staff assistant and advisor to the Secretary and Deputy Secretary of Defense for C3I, information management (IM), information operations (IO), counterintelligence (CI), and security countermeasures (SCM), including warning, reconnaissance, and intelligence-related activities conducted by the DoD (10 U.S.C. 138). See appendix D for a more detailed discussion of ASD (C3I) duties. The ASD (C3I) Respond mission is one of the most important on the OSD staff. The ability to provide timely and relevant intelligence support, including imagery, signals intelligence, and reconnaissance; to surge the capacity of information operations and management; and to provide a secure and assured means of communication is imperative in supporting a full spectrum of military operations. The Joint Staff identifies information operations, global command and control, and all source intelligence as key capabilities and force enablers. The ASD (C3I) has the following specific Respond-related duties:

- Serves as principal staff assistant in carrying out the responsibilities of the Secretary of Defense for the National Communications System (NCS). The NCS provides necessary communications to the Federal Government in national emergencies (E.O. 12742, Assignment of National Security and Emergency Preparedness Telecommunications Functions). The role of the NCS is to assist the President and Executive Office of the President in exercising wartime and non-wartime emergency telecommunications and in the coordination of planning for and provisioning of national security and emergency preparedness communications (NS/EP) for the Federal Government.
- Serves as the Department's senior information security officer (E.O. 12356, National Security Information).
- Assesses the responsiveness of intelligence products to DoD requirements.
- Reviews and advises the Secretary of Defense on C3I, CI, SCM, and IM plans and programs... evaluates the responsiveness of such programs to DoD requirements, particularly their readiness to support military operations.

The ASD (C3I) has a number of functional Respond-related duties in exercising overall supervision of C3I affairs for the Department of Defense and authority, direction, and control over the Defense Intelligence Agency (DIA) and the Defense Information

Systems Agency (DISA), two combat support agencies that have important Respond-related duties. The DISA is the executive agent for the NCS.

The ASD also exercises overall supervision of the National Imagery and Mapping Agency (NIMA) and staff supervision of the National Security Agency (NSA), which are also designated as combat support agencies, and the White House Communications Agency (WHCA) and the National Reconnaissance Office (NRO).

- The NRO, NIMA, DIA, and NSA are all part of the national intelligence community. Their missions are established in E.O. 12333, U.S. Intelligence Activities; in 50 U.S. Code 403-5, Responsibilities of the Secretary of Defense Pertaining to National Foreign Intelligence Program; and in 50 U.S. Code 403-5a, Assistance to United States Law Enforcement Agencies.
 - The Secretary of Defense is to ensure appropriate implementation of policies and resource decisions of the Director of Central Intelligence (DCI) by elements of the DoD. He shall ensure that tactical intelligence activities are compliant and compatible with intelligence activities under the National Foreign Intelligence Program and that all elements of the intelligence community within DoD are responsive and timely with respect to satisfying operational forces.
 - The Secretary, through the DIA, is responsible for the continued operation of an effective unified system within DoD for the production of timely, objective military and military-related intelligence and appropriate dissemination.
 - The Secretary will ensure that Military Departments maintain sufficient capabilities to collect and produce intelligence to meet the requirements of the Director of Central Intelligence, Secretary of Defense, Chairman of the Joint Chiefs of Staff, Unified and Specified Commands, and joint operations and other specialized requirements of the Military Departments.

DISA is responsible for planning, developing, and supporting command, control, and communications and information systems that serve the needs of the National Command Authorities (NCA) in peace and war:

- The ASD C3I is responsible for the DoD implementation of PDD-63, Protecting America's Critical Infrastructures, for protecting critical infrastructure from physical and cyber attacks. DoD is the lead agency for national defense functions, working with the private sector to eliminate any significant vulnerability to physical and cyber attacks on infrastructure critical to the Department in carrying out its mission.

- The Secretary of Defense is the Executive Agent in carrying out the responsibilities of the Communications Act of 1934 (47 U.S. Code 606) for coordinating policy, plans, and programs for the mobilization and use of the Nation's telecommunications resources in an emergency.

DoDD 3020.36, Assignment of National Security Emergency Preparedness (NSEP) Responsibilities to DoD Components. E.O. 12656, Assignment of Emergency Preparedness Responsibilities; E.O. 12472, Assignment of NSEP Telecommunications Functions; NSDD 47, Emergency Mobilization Preparedness; and NSDD 188, Government Coordination for National Security Emergency Preparedness, direct the DoD to identify functions that would have to be performed in an emergency and to assign the responsibility for developing plans and the capability to respond to a national security emergency.

E.O. 12656 directs SECDEF to ensure military preparedness and readiness to respond to national security emergencies. The directive was last published November 2, 1988, and updated with change 1 on March 12, 1993. Some parts of the document, however, identify duties and systems that reflect a Cold War national security strategy and do not include current DoD NSEP functions and responsibilities. This is a key DoD and Federal civilian agency Respond-related policy and will require updating to reflect current military strategy and organizational structure, functional duties, and responsibilities.

DoDD 3020.36 is based on the above-mentioned E.Os. It is DoD's overarching NSEP policy for developing preparedness policy, plans, procedures, and measures to ensure a capability to respond to peacetime emergencies and wartime contingencies. The directive applies to OSD, the Military Departments and their field activities (including their National Guard and Reserve components), the Coast Guard (by DoT/DoD agreement), the Joint Staff, the CINCs, and the Defense Agencies.

Following are the NSEP Respond-related duties and responsibilities identified in the DoDD 3020.36 and its reference DoD Directives of the OSD staff:

- USD (Policy)
 - Provides oversight and policy direction on NSEP and crisis management programs with the Department of Defense (E.O. 12656).
 - Provides policy guidance on critical asset assurance, land defense of the continental United States, and military support to civil authorities (PDD-63).

- Provides emergency preparedness planning guidance and direction to ensure a high state of readiness is maintained by each DoD component, including appropriate levels of training and testing of emergency plans (E.O. 12656).
- Provides direction for conducting national security exercises, including JCS-sponsored, interagency, and other exercises, games, and simulations, including management of remedial action projects. Test and verify the effectiveness of mobilization and crisis management plans, programs and procedures (10 U.S.C. 12208).
- Directs activities of the crisis management system to expedite coordination within the Department of Defense and other Federal Departments and Agencies, and provides a single OSD focal point for crisis information during a national security or domestic emergencies or crisis.
- Represents the Secretary of Defense as the DoD member of the Senior Interagency Group for NSEP and mobilization matters involving the National Security Council (NSC) and the lead office for interdepartmental coordination of this matter.
- Provides advice, recommends policies, formulates programs, develops plans, and issues guidance to DoD components on political-military activities related to international affairs or crisis.
- Provides advice and counsel on nuclear matters. Oversees arms control, cooperative threat reduction, and counterproliferation activities in the DoD.
- Develops and coordinates with the Department of State (DOS), as necessary, policies and initiatives with foreign countries relating to basing rights; overflight and landing rights; ports, port facilities, and transportation usage; host-nation support agreements; and other commitments to allow for the rapid mobilization, deployment, and sustainment of military forces.
- Oversees special operations activities within DoD and their duties as assigned to the ASD for Special Operations and Low Intensity Conflict, ASD (SO/LIC) in DoDD 5106.1, Combating Terrorism, Peacekeeping and Humanitarian Assistance (PDD39, 56 and 63).
- USD (Acquisition & Technology)
 - Provides oversight and policy direction and guidance for the development of acquisition strategies on all aspects of industrial surge, mobilization, and maintenance of an adequate production base (10 U.S.C. 2501).

- Performs analyses of production base capabilities to support operational plans, review of military material requirements, and the augmentation of logistic and telecommunications support capabilities with resources from other Federal Departments and Agencies, the domestic civil sector, and allied and/or friendly nations.
- Supervises and conducts research in areas directly concerned with implementing emergency preparedness procedures.
- Develops policies, procedures, and systems for the emergency applications of priorities and allocations of materials, services, and resources. Administers priorities and allocation authorities delegated to the Department of Defense (50 U.S.C. 2061 et seq.).
- Prepares plans to claim or acquire supporting materials, equipment, supplies, and services needed to carry out essential DoD functions (10 U.S.C. 2304 (b) & (c)).
- Ensures that the Military Departments and the Defense Agencies develop plans for salvage, decontamination, rehabilitation, and construction of facilities, as well as the continuing operation of essential facilities (10 U.S.C. 2803, 2804, and 2808).
- Acts as the National Stockpile Manager for stockpiling of strategic and critical materials. Provides policy guidance and oversight on the use of critical material in the production of military systems, material, and associated industrial processes (50 U.S.C. 98).
- Coordinates with USD (P) and the Department of Energy (DOE) and advises and assists the Federal Emergency Management Agency (FEMA) in developing a system for the international allocation of petroleum products among the United States, its allies, and favored nations in a crisis. Advises and assists DoE in developing production and distribution control plans for use in energy crisis and emergencies.
- In consultation with the U.S. Attorney General, the Federal Trade Commission (FTC), industry, labor, finance and other interests, develops plans and programs for voluntary agreements with industry (e.g., CRAF and VISA) as outlined in PL 81-774, The Defense Production Act (50 U.S.C 2061 et seq.).
- In coordination with the Office of the USD (P) and other OSD and DoD organizations, identifies facilities important to the national defense for protection under the Critical Asset Assurance Program (CAAP), PDD-63, and DoDD 5160.54.
- Furnishes military transportation requirements to the Department of Transportation (DoT) and arranges for orderly transfer or use of Federal

or civil transportation resources by the Department of Defense during mobilization and national emergencies (10 U.S.C. 2631 (a), 4742 and 9742).

- In coordination with the USD (P) staff, the DoD components, and the DOS, develops policies and procedures for wartime host-nation support of U.S. forces.
- Ensures that the Military Departments and the Defense Agencies develop plans and emergency funding procedures to meet additional pollution reduction and/or abatement facility requirements.

The Under Secretary of Defense for Personnel and Readiness, USD (P&R)

- Develops and promulgates plans, programs, actions, and taskings to ensure adherence to DoD policies and national security objectives to promote the effective integration of Reserve component capabilities into a cohesive Total Force (DoDD 5125.1, ASD for Reserve Affairs, 3/02/94).
- Reviews and evaluates programs of the DoD components that impact on the Reserve components; monitors the activities of Reserve component organizations, training facilities, and associations. Undertakes other management oversight activities as may be required to ensure that policies and plans, programs, and actions pertaining to the Reserve components (1) adhere to approved DoD policy and standards; (2) cohere with each other and support Total Force objectives and requirements; (3) enhance the readiness and capabilities of the Reserve component units; and (4) promote the integration of the Reserve component with active duty forces (DoDD 5125.1).
- Supports Reserve component mobilization and monitor DoD organizations and agency programs requiring Reserve component support for national security emergencies and other essential functions (10 U.S.C. 10102, 10103, 18231 (3), 18235 (b)(2) and 18236 (d)(2)).
- Develops policy, plans, and procedures for the use of the Reserve and individual manpower, including military retirees for emergencies (10 U.S.C. 688, 6485, 12301(a) & (d), 12302, 12003, and 12006).
- Develops systems and plans that shall ensure that sufficient military, DoD civilian, and contractor manpower is available to guarantee the nation's ability to mobilize, deploy, and sustain military operations consistent with national defense priorities and legal guidelines.
- Prepares the National Master Mobilization Plan that provides guidance on Departmental Respond-related policies and responsibilities and a description of the mobilization process.

- Develops systems and plans to ensure that sufficient medical personnel, supplies, equipment, and facilities shall be available and shall be ready to deploy for meeting essential military health care needs in an emergency.
- Ensures the coordination and activation of two primary medical backup systems for the Department of Defense: (1) the Veterans Administration and DoD Contingency System and (2) the National Disaster Medical System. Title 10, section 115 requires an annual manpower report with an explanation of the relationship between personnel strength levels recommended for that fiscal year and national security policies in effect for that time. Report is to include unit mission and capability and the strategy which the unit supports. The report is to also include manpower required to perform the medical mission, manpower required to support overhead functions to the primary combat mission, and manpower to be stationed/assigned overseas.

The Under Secretary for Defense Comptroller, USD (C)

- Establishes procedures for developing crisis budgets
- Develops plans and procedures for providing financial and credit assistance to the private sector that may be called on to provide emergency assistance to the DoD.
- Develops, as appropriate, pre-cleared wartime fiscal and property procedures for expeditious release during a crisis or wartime.
- Develops procedures to review changes to the DoD program during mobilization and crisis and to assess mobilization requirements, plans, and programs as part of the overall planning, programming, and budgeting system (PPBS).

B. OSD POLICY AND OVERSIGHT RESPONSIBILITIES

Figure II-1 provides a summary of the Respond-related functional responsibilities and duties of the OSD staff that were identified in the preceding section. Effective implementation of virtually all of the tasks associated with these responsibilities and duties is critical to the success of the CINC's operational and contingency plans. These are key resources and operational areas that any CINC must rely on to meet his operational or warfighting objectives. For example, *before* the onset of a crisis, deployment, or wartime operation, the CINC would need and expect to have ready such critical resources as weapon systems, specialized support equipment, personnel, war reserve materiel, transportation assets, communications capabilities, intelligence, installations and facilities, host-nation support, access rights, spares and maintenance

capabilities, chemical and biological defense items, and troop support items. These resources are provided by the Military Departments, Combat Support Agencies, other Federal Departments and Agencies, and allied and friendly nations. OSD is ultimately responsible for assuring these resources are available.

Many of these responsibilities are similar to those assigned the Joint Staff. In most cases neither staff can meet the full scope of these responsibilities. In general, the OSD staff responsibilities lie in the area of policy and resources, and those of the Joint Staff lie in the operational area. Policy, resources, and operations are inextricably intertwined, however, and the Secretary of Defense is best served if his civilian and military staffs are working together to assure comprehensive coverage of all of these important functional areas. See page IV-7 for a description of IDA studies that identify the impact of the failure of the staffs to work together.

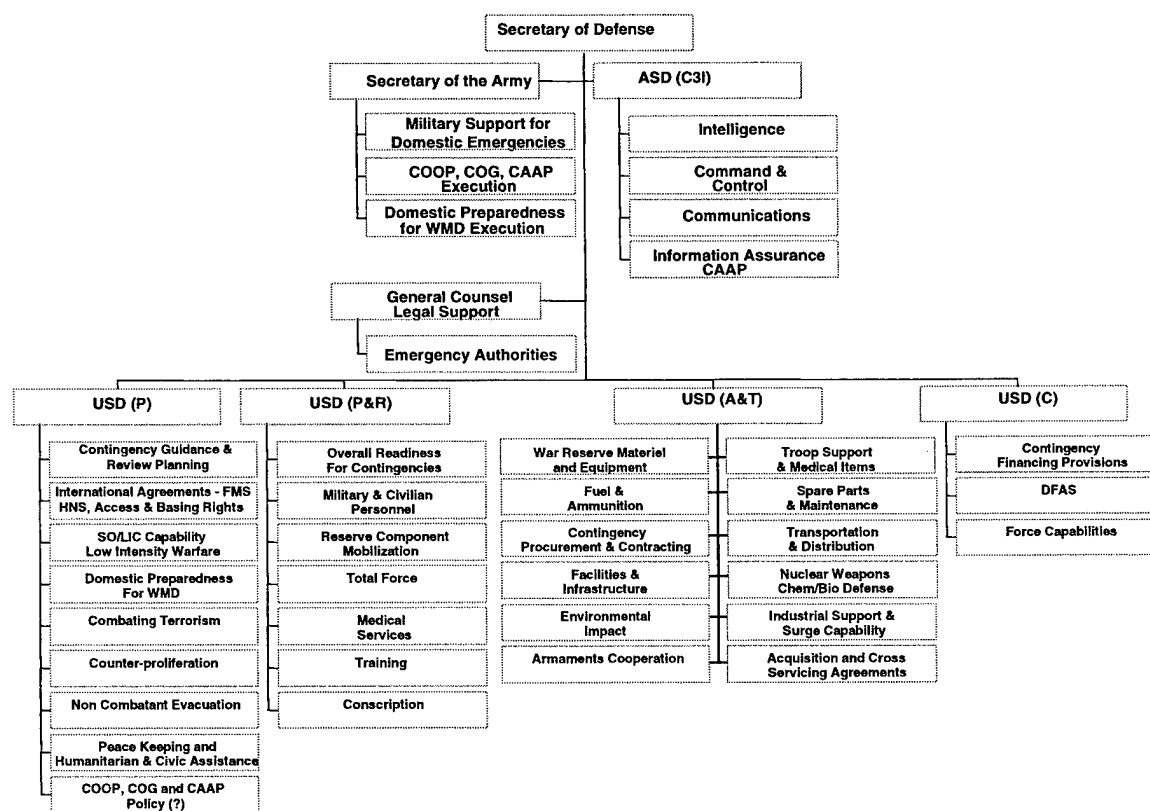


Figure II-1. OSD Has Policy and Oversight Responsibility for Key Functional Areas

CINC OPLANs describe what the CINCs plan to do with the forces assigned and, perhaps more importantly, they describe the CINCSs' expectations that the necessary policies, systems, processes, programs, procedures, materiel, training, or other

capabilities are in place and ready to support CINC plans. The CINCs expect to receive the transportation assets, communications capacity, equipment, and other warfighting materiel, medical support, and trained personnel when they are required. They expect that international agreements for host-nation and logistic support and access, overflight, and basing rights are in place or will be when needed. They expect that the spares, maintenance, and repair support and follow-on sustainment needed and identified in the OPLAN are available and will support operational requirements.

As described above, the OSD staff has a management oversight and leadership role, in support of the Secretary of Defense, to ensure that the Department can meet its Title 10 responsibilities and support national security strategy. Core functions of all OSD offices are: (1) to develop and promulgate policies in support of national security strategy; (2) to provide management oversight to ensure effective allocation and efficient management of resources consistent with Secretary of Defense approved plans and programs; and (3) to provide effective supervision of policy implementation and program execution at all levels of the Government. Those OSD offices with Respond-related responsibilities have the duty to initiate programs and actions, and to task Military Departments and DoD components to ensure that policies are executed and programs are designed to meet operational requirements. Within their functional areas, OSD staffs are also responsible for reviewing resource programs, recommending resource allocations, and monitoring the implementation of approved programs.

1. CINC Responsibilities and Expectations vs. OSD Responsibilities

Our analysis of existing legislation, executive orders, and directives suggests that the OSD staff, in meeting their core and functional duties and responsibilities, should be involved in developing guidance for the development of contingency plans and the review of such plans. The OSD staff should also be involved in Joint Staff readiness reviews, Joint Warfighting Capability Assessments (JWCA), Joint Staff exercises, and other activities to ensure that policies and resource programs can meet operational requirements. If SECDEF is to meet his Title 10, Respond-related responsibilities, it is essential that the OSD and Joint Staff work together to ensure a link between the development of policy, initiation of programs, allocation of resources, and CINC operational plans.

The importance of this linkage can best be illustrated by the following comparisons of CINC responsibilities and expectations with OSD responsibilities. The comparisons, based on our analysis of the logistics annex of only one CINC OPLAN,

cover the management oversight and functional areas of responsibility of the USD (P), USD (A&T) and USD (P&R). The key point to understand is that the CINCs have both responsibilities and expectations, while OSD is responsible for ensuring, first, that the CINCs fulfill their responsibilities and, second, that the Military Departments, Combat Support Agencies, and OSD itself are prepared to meet the CINC's expectations. Where there is a disconnect, OSD and the Joint Staff are responsible for ensuring that the differences are resolved.

OSD Oversight Duties – Policy

CINC Responsibilities

Prepare contingency plans that are consistent with Secretary of Defense guidance and the National Security Strategy

Prepare contingency plans that are executable with the resources allocated

Prepare contingency plans that provide for force protection

Prepare logistics and mobility plans that are consistent with SECDEF guidance and the National Security Strategy

Prepare logistics and mobility plans that are executable with the resources allocated

CINC Expectations/Needs

CINC contingency plans, priorities, and assumptions describe CINC expectations and needs for support from multiple DoD elements:

Expectations of interagency support that international agreements exist

Basing and access rights

External support

Expectations of local political, military, and logistic support

Expectations of SECDEF approval of Flexible Deterrent Options and other CINC initiatives

OSD Management Oversight Responsibilities

Advise the Secretary on the extent to which the CINC contingency plans are consistent with guidance

Advise the Secretary on the extent to which the CINC contingency plans are executable with the resources allocated

Advise the Secretary on the extent to which the rest of the DoD is providing necessary support to the CINC

Advise the Secretary on the adequacy of the force protection aspects of the plan

Advise the Secretary on changes in policies, programs, and practices that will enhance the ability of the CINCs to perform their NCA assigned missions

OSD Management Oversight Responsibilities

OSD oversight is necessary to ensure that the CINC expectations and needs are being met:

Have the steps been taken to assure interagency support for the key policy-related aspects of the CINC plan?

Are there international agreements in place with host countries and along the LOCs? Are status of forces, logistic support, access and basing agreements in place and do they meet the CINC's needs?

Are assumptions covering local political, military, and logistic support consistent with current U.S. policy and relations in the region?

Are CINC Flexible Deterrent Options and other initiatives consistent with U.S. policy and capable of implementation? What authorities should the CINC have for unilateral action?

OSD Oversight Duties – Logistics

CINC Responsibilities

Prepare logistic and mobility plans that are consistent with SECDEF guidance and the National Security Strategy

Prepare logistic and mobility plans that are executable with the resources allocated

CINC Expectations/Needs

CINC logistic support concept, priorities, and assumptions describe the CINC expectations and needs for support from multiple DoD elements:

Expectations of transportation throughput

Movement to ports of embarkation

Strategic air and sea lift

POEs and PODs

Movement from ports of debarkation - RSOI capabilities

Expectation that international agreements exist

Basing and access rights

Regional and along LOCs

Expectation of logistics sustainability from a responsive supply and maintenance base

Expectations of maintenance effectiveness

Expectations of supply adequacy based on Service planning factors for consumption, intensity, and attrition

Expectations of a responsive industrial base for sustainment and repairs

Reliance on External Support

Wartime Host Nation Support

Civilian contractors

Reliance on pre-positioned War Reserve Materiel

OSD Management Oversight Responsibilities

Advise SECDEF on the extent to which the CINC logistic and mobility plans are consistent with guidance

Advise SECDEF on the extent to which the CINC logistic and mobility plans are executable with the resources allocated

Advise SECDEF on the extent to which the rest of the DoD is providing necessary logistic and mobility support to the CINC

Advise SECDEF on changes in policies, programs, and practices that will enhance the ability of the CINCs to perform the logistic and mobility aspects of their SECDEF assigned missions

OSD Management Oversight Responsibilities

OSD oversight is necessary to ensure that the CINC expectations and needs are being met:

Do the Services and the supporting CINC have the plans and capabilities needed to move the forces and support according to the CINC's needs?

Are plans for commercial transportation adequate? Are existing MOUs with DoT and agreements with commercial carriers in place and up to date? Do they meet the CINC needs - if not what efforts are underway to correct deficiencies?

Are POEs and PODs adequate to meet CINC needs?

Can unit equipment and cargo move efficiently out of the PODs to the assembly areas?

Are there international agreements in place with the host countries and along the LOCs? Are status of forces, logistic support, access and basing agreements in place and do they meet the CINC's needs?

Do the Services and the supporting Combat Support Agencies have the plans and capabilities needed to supply and maintain the forces at acceptable levels?

Are CINC expectations of maintenance capabilities achievable? Are there ongoing efforts to address CINC concerns? Are there alternatives within the region to support the CINC's needs?

OSD Oversight Duties – Logistics (con't)

CINC Expectations/Needs

Expectation of resupply of allied and coalition forces
Expectation of ammunition supply
Expectation of POL and water supply
Expectation of medical services
Expectation of installation adequacy
Expectation of civil engineering support

OSD Management Oversight Responsibilities

Can DoD maintain total asset visibility of the assets needed by and shipped to the CINC?

Can existing WRM program and CONUS based depots meet CINC requirements. Are there efforts underway to address shortfalls?

Can maintenance priorities be met with existing resources and systems? Are changes needed in policy, programs and budgets?

Are Service consumption, intensity, and attrition rates reasonable and up to date. Should there be changes in existing budgets and programs based on these rates?

Are industrial mobilization capabilities adequate to meet CINC needs for critical supplies, ammunition, and repair parts?

Are WHNS plans & agreements in place? Is the use of contractor support a viable option? Are agreements and business arrangements in place?

Are WRM stockpiles adequate in size and location? Are shortfalls being addressed?

Do the Services have the resources needed to resupply allied and coalition forces?

Do the Services have the resources needed to provide and distribute ammunition to multiple CINCs?

Do the Services and DFSA have the resources needed to provide and distribute POL and water to meet the needs of the CINC?

Can the Services CSAs meet CINC medical needs?

Are DoD installations in the region and in the CONUS adequate to meet wartime needs identified by the CINC plans?

Are emergency MILCON needs identified?

Are emergency funding provisions in place?

OSD Oversight Duties – Manpower and Readiness

CINC Responsibilities

Prepare manpower plans that are consistent with SECDEF guidance and the National Security Strategy

Prepare manpower plans that are executable with the manpower resources allocated or otherwise available

Prepare plans for the evacuation of U.S. civilians from threatened areas

Prepare plans that are consistent with the readiness of the forces and supporting organizations to be employed and with the materiel readiness of the DoD

CINC Expectations/Needs

CINC plans and assumptions either describe or imply the CINC expectations and needs for manpower from all parts of the Total Force and for Total Force readiness necessary to perform the tasks identified on the time schedule identified

Expectations of Active and Reserve component availability

Units

Individuals

Expectation of mobilization capability

Units

Infrastructure

Training base

Industrial base

Expectations of medical readiness

Expectations of DoD readiness to support CINC plans

OSD Management Oversight Responsibilities

Advise SECDEF on the extent to which the CINC manpower plans are consistent with guidance

Advise SECDEF on the extent to which the CINC manpower plans are executable with the resources allocated

Advise SECDEF on the extent to which the rest of the DoD is providing necessary manpower support to the CINC

Advise SECDEF on the readiness of DoD forces, supporting organizations, and materiel to accomplish the missions assigned the CINCs

Advise SECDEF on changes in manpower and readiness policies, programs, and practices that will enhance the ability of the CINCs to meet the manpower and readiness demands of their SECDEF -assigned missions

OSD Management Oversight Responsibilities

OSD oversight is necessary to ensure that CINC expectations and needs are being met:

Do the Services have the plans and capabilities needed to provide trained Active and Reserve component units to meet the CINC's needs?

Are plans for mobilization adequate? Are mobilization and training facilities adequate? Can DoD provide trained units in time to meet the CINC needs? What efforts are underway to correct deficiencies?

Are the Services able to provide pre-trained individuals to fill units, provide replacements, and meet the needs of the CONUS base?

Is the industrial base able to respond to CINC needs on a timely basis?

Do the Services have the plans, capabilities, and readiness needed to provide medical units, systems, evacuation capabilities, supplies, and personnel to meet the CINC's time-phased needs?

Does the medical system have the capability to care for casualties caused by WMD?

Are the Services, Combat Support Agencies, and supporting CINCs ready to support the implementation of the CINC's OPLAN?

OSD Oversight Duties – Manpower and Readiness (con't)

OSD Management Oversight Responsibilities

Considering the contingency respond process as a whole, are there obstacles or constraints that block the effective implementation of the CINC plans?

What changes in policy, practices, or the program will enhance DoD readiness to implement the CINC plan in the near term?

What actions are underway by DoD components to address personnel, equipment, training, and joint enabler readiness deficiencies identified in DoD readiness reviews.

What is the likelihood that these actions will solve the readiness problems facing the CINCs?

2. Status of Existing Guidance

Appendix C provides a list of DoD directives, instructions, and other Respond-related guidance in force today. Although many policies have been updated in recent years, there are other key Respond-related policy documents that are obsolete. These documents should be updated or eliminated. Guidance relating to Respond programs at the lower end of the conflict spectrum are for the most part up-to-date, reflecting current military strategy and organizational structure and responsibilities. Many of the obsolete documents, however, relate to responding to a NATO/WP War. A major finding of the Joint Staff-sponsored exercise PF98 was that current mobilization and resource guidance does not reflect current organization structure or national security strategy. The concepts and programs developed during the Cold War have not been revised or adapted to meet the needs of the current national security strategy. Moreover, current mobilization policy and guidance does not adequately define Respond-related responsibilities of the Office of the Secretary of Defense (OSD). In its review of Exercise Positive Force, the Joint Staff concluded that the lack of policy and guidance for mobilization and the assignment of Respond-related duties hampers the ability of the Department and other supporting Federal Departments and Agencies to respond to a major crisis. The Joint Staff recommended that OSD conduct a comprehensive review and update of mobilization policy and guidance:

- Rewrite guidance to redefine roles and responsibilities of various organizations and agencies involved in the Respond functions or mobilization process.
- Mandate and conduct periodic reviews of mobilization plans, policy, procedural documents, and systems.

- Establish a management structure and an OSD office with oversight responsibility.

Here are some specific examples of key Respond policy and guidance that are outdated:

- The DoD Master Mobilization Plan (MMP), DoD 3020.36-P, directs mobilization and demobilization planning by Department of Defense organizations. It was last published in May 1988. It is intended to be the controlling document for all mobilization or Respond-related planning within the Department. The document, as written, describes an outmoded process that is based on the Cold War strategy. It assigns responsibilities to organizations that no longer exist and doesn't include any of the newly legislated Respond-related duties and responsibilities. The MMP also lists legal authorities and programs that have either been superseded or are no longer relevant to current military strategy. The MMP, which traditionally served as a basis for Joint Staff, Service, and Defense Agency mobilization and other Respond-related planning, can no longer provide even first-level guidance to DoD planners.
- DoD Directive 3020.36, Assignment of National Security Emergency Preparedness (NSEP) Responsibilities to DoD Components, was last updated in March 1993; however, the directive essentially has remained the same since it was last rewritten in 1988. The directive assigns responsibilities for mobilization, Respond-related planning, and developing emergency preparedness measures. The directive requires each DoD organization to develop plans to transition from peacetime to wartime activities and be prepared to implement emergency preparedness plans and crisis management for all levels of their Respond-related duties and functions. The directive also requires OSD and DoD components to prepare for all national security and domestic preparedness Respond actions with appropriate federal, state, and local governments, other DoD components, and elements of the private sector. This document is also outdated and no longer reflects current national security strategy, Departmental organizational structure, and their Respond-related duties.

An examination of other Respond-related documents relevant to a major crisis, mobilization, or major theater war shows that many other policy documents are outdated and obsolete. They refer to obsolete or superseded documents, organizations that no longer exist, and processes that are no longer relevant. Some DoD directives and instructions are provided as illustrative examples of Respond-related policy and guidance that need to be reviewed and updated if they are to be relevant to meeting the Respond-components of current military strategy.

Current national security strategy places a high reliance on the "Total Force" in meeting Respond-related duties and functions for a major theater war. Peacetime engagement activities and involvement in multiple small-scale contingencies will also require the use of a significant portion of the Reserve component. This guidance does not appear to meet current Respond requirements:

- DoDD 1100.18, Wartime Manpower Mobilization Planning (10/23/86); DoD 1100.18-H, Mobilization Handbook for Installation Manpower Planners (10/1/86); and DoDI 1100.19, Wartime Manpower Mobilization Planning Policies and Procedures (2/20/86): Provide policy and guidance for manpower planning in peacetime and manpower utilization in wartime.
- DoDD 1200.7, Screening the Ready Reserve (4/06/84): Provides policy guidance on screening the ready reserve to ensure they meet Military Services wartime standards of mental, moral, professional, and physical fitness standards and possess the required military qualifications.
- DoDD 1100.4, Guidance for Manpower Programs (8/20/54): Provides guidance to be used by the Services in the preparation and administration of their manpower programs. Its objective is to accomplish approved national military objectives with a minimum of manpower organized and employed so as to provide maximum effectiveness and combat power

Responding to a major crisis or mobilizing to fight a major theater war will require all of the DoD owned transportation assets and the use of significant civil transportation assets. The call-up of the Civil Reserve Air Fleet (CRAF) and exercising the Voluntary Intermodal Sealift Agreements (VISA) could impact civil air and maritime shipping. It is imperative that there be contingency response procedures that best utilize these critical assets and minimize the impact on civilian transportation needs. The civilian transportation industry has undergone tremendous changes in the last 10 years. DoD policy, guidance, procedures, and systems do not appear to have kept pace.

- DoDD 3005.7, Emergency Requirements, Allocations, Priorities and Permits for DoD use of Domestic Civilian Transportation (5/30/85): Provides policy and guidance to ensure contingency response procedures are developed and exercised by DoD components and to ensure the timely support of DoD requirements under emergency conditions.
- DoDD 4500.37, Management of the DoD Intermodal Container System (4/02/87): Provides policy to ensure DoD components attain and maintain a container orientated distribution system of sufficient capability to meet DoD established mobilization and deployment goals and to maintain DoD/civilian industry compatibility wherever practicable.

- DoDD 4500.45, DoD Transportation Policy Council (4/24/84): Establishes the DoD Transportation Council (DTPC) for the purpose of providing a forum for coordinated review of DoD transportation policies, systems, and programs. Duties of the DTPC include review and evaluation of defense preparedness issues involving the transportation industry and review of the adequacy of transportation and traffic management programs for meeting DoD peacetime and wartime requirements. There is no evidence of the DTPC being involved in exercise PF 98 or convening a meeting in recent years. Nearly all of the organizations that would be represented on the council no longer exist.
- DoDD 5030.8, Office of the Coordinator for Ship Repair and Conversion for the Department of Defense and the Department of Commerce (9/24/76), and DoDD 5030.9, Coordination of Shipbuilding, Conversion and Repair for the Department of Defense (1/19/72): Provide policy and guidance for DoD to enter into agreements with the Department of Commerce for coordination of ship repair and ship conversion and to assure effective and fully coordinated programs for shipbuilding, conversion, and repair to satisfy DoD requirements in peacetime, wartime, and national emergency. The Office of the Coordinator would be reconstituted in times of emergency to provide a coordination mechanism between the two Departments. According to personnel at Navy Systems Command this office was within a day or two of being reconstituted during Operation Desert Shield and Desert Storm, a far less demanding scenario than the current military strategy would require or expect in terms potential ship repairs due to battle damage. Both of these documents are outdated and no longer include the correct civil Federal Department. Responsibilities have been transferred to the Department of Transportation's Maritime Administration (MARAD). MARAD has expressed the desire to keep these documents.

Other Respond-related documents, especially programs designed for responding to a major war and responding to asymmetric attacks against the key U.S. interests and infrastructure, are also outdated.

- DoDD 4275.5, Acquisition and Management of Industrial Resources (10/06/80): Provides policy for the acquisition and management of facilities, special tooling, and special test equipment to ensure economical support of essential peacetime, surge, and mobilization requirements while minimizing government ownership. Established in response to the Industrial Reserve Act, which was repealed and transferred to Secretary of Defense under 10 USC 2535 in 1996. Policy is outdated and inconsistent with current organization structure, recent legislation, and other related policy guidance.
- DoDD 5120.50, Conventional Forces Readiness Committee (7/26/89): Establishes the Conventional Forces Readiness Committee (CFRC). Its

purpose is to serve as an advisory body to the Secretary and the Deputy Secretary of Defense on crosscutting issues affecting readiness. The CFRC is to enhance coordination and integration of policies and issues affecting readiness, defined in this document as the ability of forces to perform their missions, from exercise of the Presidential call-up authority, mobilization, or the beginning of conflict until warfighting objectives are achieved. The CFRC has had no recent meeting of record and officially comprises some organizations that no longer exist. It may have been replaced by the Senior Readiness Oversight Council (SROC). Although Quarterly readiness reports are required by 10 U.S.C. 482, there are no directives concerning readiness issued by OSD. There is also no directive for the SROC.

- DoDI 4170.10, Energy Management Policy (8/8/91): Provides guidance on DoD energy management, energy security including vulnerability assessments, the Key Asset Protection Program and crisis management. DoDI 5126.47, Department of Defense Energy Policy Council (DEPC) (12/2/85): Establishes the DEPC which has the responsibility to review the adequacy of energy management programs for meeting DoD peacetime and wartime programs, review and evaluate defense preparedness issues, and perform crisis management tasks.

Another set of documents, Crisis Action Plans (CAPs), kept in the OSD Executive Support Center, has not been updated or changed since the end of Operation Desert Shield/Desert Storm. DoDI 3020.38, Promulgation and Administration of OSD Crisis Action Packages (CAPs), defines CAPs as a set of documents that facilitate the assembly of essential elements of information and provide specific guidance on likely issues and decisions that could confront the SECDEF and other OSD officials during a crisis. Each CAP covers a key functional Respond area and contains background information on legal authorities and coordination requirements as well as draft copies of implementing documents that can be quickly adapted in response to an emergency situation. When examined, it was apparent that lessons learned from the Gulf War had been annotated on documents or were attached to specific functional areas. None of these were ever incorporated into the CAP files. Much of the information contained in the CAP files, like in many of the Respond-related policies, was obsolete and did not reflect current military strategy, organizational structure or duties, and recent legislated requirements. The Joint Staff observed that OSD representatives to PF98 were generally unaware of legislative authorities that were available to them, and had difficulty preparing packages for staffing and coordination and requests to the President for additional authorities needed to respond to changing and escalating crisis that could lead to a major theater war.

III. HISTORICAL OSD ROLE IN RESPOND-RELATED ACTIVITIES

A. GOLDWATER-NICHOLS

Prior to the mid-1980s the Office of the Secretary of Defense had virtually no role in any of the activities that now fall under the category of "Respond-related activities." By the mid-1980s the OSD role began to change as the Congress reconsidered the organization and the roles and responsibilities of key DoD actors. As part of that review, the Senate Committee on Armed Services released a report, "Defense Organization: The Need for Change," also known as the Locher Report. This report, published in October 1985, was a comprehensive study of the organization and decision-making procedures of the Department of Defense. Many of the study's recommendations provided a basis for the Goldwater-Nichols Act (Defense Reorganization Act) of 1986. Unfortunately, many of the Respond-related problems uncovered in the Locher Report still appear to be present today.

A key finding of the report was that mission integration at the DoD policymaking level was limited. The report defined mission integration as the capability to integrate the distinct military capabilities of the four Services to prepare for and conduct effective unified operations in fulfilling major U.S. military missions. The report identified mission integration as the principal DoD goal. Defined in terms of today's national security strategy, mission integration is the ability to meet the demands of the Respond Strategy. According to the report, the failure to focus on mission integration caused numerous deficiencies in military capabilities:

- Strategic planning is inhibited by an absence of major missions and strategic goals.
- Headquarters organizations are not fully attuned to operational, especially readiness, requirements of the unified commanders.
- Functions (e.g., airlift, sealift, HNS) that are not central to a Service's own definition of a mission get neglected.

- Service interests rather than strategic needs play a dominant role in shaping program decisions. Tradeoffs between programs of different Services that could contribute to a particular mission are seldom made.

The report concluded that the three principal organizations in the Pentagon—the OSD, the Joint Staff, and the Military Departments—were focused almost exclusively on functional areas and on business administration and management activities, inhibiting the integration of Service capabilities along mission lines. For a major mission like the defense of Southwest Asia, insufficient mission integration at the policy-making level would lead to critical gaps in warfighting capabilities, wasted resources, interoperability problems, unrealistic plans, inconsistent doctrine, inadequate joint training, and ineffective fighting forces. In today's terms, the report would likely conclude that DoD could not adequately respond to a full spectrum of threats including major theater war. The report further identified lack of OSD support to the Secretary of Defense as a major contributor to inadequate mission integration.

The report found that no one in OSD below the Secretary and the Deputy Secretary had access to nonnuclear contingency plans prepared by the unified and specified commanders. The study argued that the Secretary and Deputy Secretary have enormous and demanding responsibilities and do not have the time to review numerous contingency plans and ensure that they are consistent with national security policy. More importantly, they could not provide the needed management oversight to ensure the execution of policies, plans, and programs consistent with the operational needs of the combatant commands. The absence of a meaningful OSD review of nonnuclear contingency plans is a problem because:

- It is a vital area where civilian control of the military is not exercised.
- Plans may not be realistic in terms of actions the President may be prepared to take in certain situations.
- Higher authority may lack an understanding of what can be done with existing resources, leading to inconsistencies in the strategic planning process during which objectives are linked to resources.
- The failure of civilian officials and the JCS to give adequate attention to contingency plans and to connect them to the resource allocation process is one of the gravest shortcomings of the Department.
- The Secretary of Defense and Deputy Secretary of Defense need staff assistance to conduct comprehensive reviews.
- Civilian guidance to be used by military officers in developing contingency plans is inadequate.

The report identified 2 important goals:

- Develop a mission-oriented OSD staff that would review contingency plans (and readiness assessments) as a normal course of business.
- Develop an iterative strategy-policy-resource decision-making process that would result in coherence between goals and resources.

The report then identified two alternative approaches for reacting to those goals:

- Create an OSD office reporting to the USD (Policy), staffed by a combination of civilian and military officers, to review contingency plans.
- Create a joint OSD/OJCS office to review contingency plans. The office would also be manned by civilian and military officials and would report to the Secretary of Defense and the CJCS or their designees.

While the Goldwater-Nichols Act did not respond specifically to these recommendations, it did change OSD's role in Respond-related oversight duties and responsibilities. The key change was a requirement in 10 U.S.C 113, which directs "the Secretary of Defense, with approval of the President and after consultation with the Chairman of the Joint Chiefs of Staff, to provide annually to the Chairman written policy guidance for the preparation and review of contingency plans." This guidance is to include guidance on the specific force levels and specific resource levels projected to be available for the period of time the plans are to be in effect. In 10 U.S.C. 134 the Under Secretary of Defense for Policy is directed to assist the Secretary in preparing written guidance for the preparation and review of contingency plans and in reviewing such plans.

Over the past 10 years, OSD and the Joint Staff have developed a process for review of contingency plans by a small OSD office in OUSD (P) prior to their approval by the Chairman and the Secretary of Defense. OSD has not written a DoD directive to formalize this process. It can be argued that the limited role of OSD in the review of contingency plans does not meet the intent of either the Locher report or the Goldwater-Nichols legislation. For example, a recent study by Hicks and Associates, Inc., "The Office of the Secretary of Defense, Creating a New Organization for a New Era," prepared for the Secretary and Deputy Secretary of Defense, noted that OSD conducts oversight of operational and contingency plans, but the review is mainly by a few military officers assigned to OSD and it remains difficult for OSD as a whole to shape operational plans. The study also noted that some senior military officers strongly resisted the need for any civilian review of operational plans below the Secretary or Deputy Secretary of Defense.

Since the policy guidance for the preparation and review of contingency plans is to include "guidance on the specific force levels and specific supporting resource levels projected to be available for the period of time the plans are in effect" (Title 10, Section 113), one can argue that other OSD staff with Respond-related functional duties and responsibilities should be part of the process. To meet the intent of Title 10, it also appears reasonable for other OSD staff elements to prepare guidance and review specific sections and annexes of the plans to ensure a coherent matching of strategy, policy, and resources. More importantly, active participation of the OSD staff in the contingency planning process would improve OSD's ability to fulfill its responsibility to ensure that policy, guidance, programs, and resource allocations are responsive to operational requirements.

It is important to note that the Goldwater-Nichols legislation neither provides an authoritative definition of OSD duties or responsibilities in the review of contingency plans nor defines OSD and Joint Staff relationships or their respective roles in the oversight of contingency plans. Nor does it place any restrictions on Respond-related activities of any other Under Secretary or limit the review of contingency plans within the OSD.

B. OSD OVERSIGHT OF RESPOND-RELATED ACTIVITIES

OSD Oversight Improved Strategic Nuclear Response

Through the early 1980s OSD had very little insight into or impact on DoD strategic nuclear planning. SECDEF guidance in the Policy Guidance for the Employment of Nuclear Weapons (NUWEP) was becoming increasingly more general. The JCS guidance in the Joint Strategic Capabilities Plan (JSCP) was much more detailed and had more impact on actual nuclear planning. The OPLAN itself, the Single Integrated Operational Plan (SIOP), was created at SAC headquarters by the Joint Strategic Target Planning Staff (JSTPS). Civilian oversight was limited to an annual briefing to the Secretary of Defense with none of his civilian staff present. Once the NUWEP was written, the Secretary of Defense's civilian staff was officially walled off from most aspects of nuclear employment planning. The military leadership successfully opposed all efforts by the OSD staff to gain insight into the SIOP or into the options in the "Black Book" prepared for the President.

This situation lasted into 1985, when Frank Miller and his staff in the Office of the USD(P) were finally able to obtain enough data to conclude that there was a high

probability of significant problems with the existing SIOP. The OSD staff attempted to resolve these problems by working directly with the Joint Staff but was rebuffed. Failing to get support from the Joint Staff, on 29 July 1985, the OSD staff raised the issues directly with the Secretary of Defense who ordered that the OSD staff be given the necessary access.

Over the next year, the staff, working with the Joint Staff and the JSTPS, conducted detailed analysis of three issues. Finding that their concerns on all three issues were justified, the staff developed recommended solutions to each problem and briefed the Secretary of Defense. In response to the OSD recommendations, the Secretary of Defense issued a series of specific guidance memoranda to resolve the problems on an expedited basis.

In 1987, the OSD staff rewrote the NUWEP to include the changes earlier promulgated by the Secretary of Defense memoranda. Since the earlier access to the SIOP-related documents had been on a personal basis, the staff also included a specific provision in the NUWEP requiring that individuals occupying specific OUSD (P) positions be given unrestricted access to "appropriate documents," to include the Black Book. Despite objections from the CJCS, the Secretary of Defense approved this expansion of access to SIOP-related documents.

While the Secretary of Defense memoranda and NUWEP 87 led to significant improvements in the SIOP and to improved civilian oversight, it did not resolve all problems. In particular, while OSD was given access to the Black Book, neither OSD nor the Joint Staff was given access to other documents held by the JSTPS. These documents contained target selection and weapon allocation rules. Moreover, the data that was provided to the Joint Staff and OSD proved to be lacking in details necessary for a full understanding of U.S. plans for nuclear war. As a result when the new Secretary of Defense arrived in 1989 and began to ask detailed SIOP-related questions, adequate answers were not available.

In November 1989, the Secretary of Defense, unable to obtain answers to his questions, directed the USD(P) and the CJCS to jointly conduct a review of strategic nuclear weapons targeting policy. The Secretary of Defense specifically directed that this review be supported by the JSTPS, which would make all documents and data bases available.

Mr. Frank Miller, the DASD (ISP) and LtGen Mike Carns, the Director of the Joint Staff, headed the review and briefed the working group findings and recommendations to the Secretary of Defense and the CJCS.

The working group discovered that the SIOP did not reflect an effort by the JSTPS to determine the requirement for weapons. Instead, the SIOP was a plan for allocating assigned weapons to targets without regard for how many weapons were actually "required" to achieve the desired level of damage.

In the absence of a method for determining requirements, the working group developed its own methodology. This methodology was briefed to the Secretary of Defense and the CJCS and approved by the Secretary of Defense and was subsequently used to support START analyses.

In the final phase of its efforts the working group applied the new methodology to the new target list and derived a new "requirement." Mr. Miller and LtGen Carns briefed these results to the Secretary of Defense and the CJCS. Following their agreement, the Secretary of Defense approved the technical recommendations and the new methodology as the basis for creating a new SIOP. The changes approved by SECDEF were incorporated into change to the NUWEP.

These cooperative OSD/Joint Staff efforts were continued in the development of NUWEP 92 and they continue today. OSD staff members and members of the Joint Staff jointly review the SIOP, analyze issues that arise, and brief their findings and recommendations to the Secretary of Defense and the CJCS. In addition to their role in the review of the SIOP, the OSD staff acts to coordinate the requirements process (in which the actual requirement for nuclear weapons to meet the needs of U.S. strategy is calculated), with the arms control process, and with the PPBS process in which the size and mix of the force is determined.

OSD Oversight Improved Planning for a NATO/WP War

For the majority of the Cold War, OSD focused on those activities that are now included in the Shape and Prepare aspects of the National Security Strategy and accepted a secondary role in both planning and execution. In the planning arena OSD focused on those aspects that had budget implications and that were essentially part of the Prepare strategy. Most issues were handled as part of the Planning, Programming, and Budgeting System (PPBS) (an implicit part of the Prepare strategy). For example, OSD participated energetically in the program and budget activities associated with strategic air and sea lift

and with the funding of prepositioned equipment. OSD participated neither in deciding what would be carried to Europe (OSD did not review the deployment list) nor in deciding how the prepositioned equipment would be managed.

In the execution area, OSD agreed to function primarily as a conduit for preplanned actions. For example, the OSD staff would transmit recommendations for major actions such as mobilization of the Reserve components from the military staff but would give little or no input to the decision-making process. The "mobilization process" was largely predetermined. The need for full mobilization at an early time was accepted. OSD participation in exercises essentially stopped at the initiation of fighting. OSD did not participate in operational decisions. Basing and external support arrangements were made in advance and awaited only the order to initiate. OSD did not review OPLANS and was largely content to leave Respond-related planning to the military. Indeed, the Joint Staff had its own procedural guidance, called JCS MOP 39, that specifically forbade giving operational planning information to OSD.

Changes in this system came slowly. Perhaps the first noticeable change came in the mobilization exercise Nifty Nugget, in 1979. Many problems were discovered during this exercise. One of the biggest problems involved the movement of U.S. forces to their assembly areas. The discovery of this problem led to changes in the OSD role. As a result of Nifty Nugget, OSD became involved in plans for movement of U.S. forces from the ports of debarkation to the assembly areas. For example, OSD was instrumental in getting agreements from Germany for the provision of significantly improved levels of host nation support. OSD also wrote DoD directives addressing NATO logistics and initiated agreements with other NATO governments to support the U.S. deployment.

Following Nifty Nugget, mobilization exercises were conducted every 2 years. After each exercise, problems were noted and efforts made to improve the mobilization process. OSD took an important role in making these changes. For example, in Exercise Proud Scout in 1987, OSD initiated a "decision making exercise" as part of the regular mobilization exercise which was primarily an exercise of mobilization procedures. This decision-making exercise led to the recognition of a need for greater flexibility in the early stages of a crisis or mobilization. OSD staff members, principally Mr. David Shilling, led an effort with the Joint Staff to create "Flexible Deterrent Options" that were designed to give the CINC and the Secretary of Defense greater flexibility in the early stages of a crisis that threatened to lead to war.

The Gulf War Plans Were Ad Hoc

The OSD staff first identified the potential for an Iraqi attack on Kuwait and Saudi Arabia in the Carter administration as part of a major study of the U.S. role in the area. Subsequent OSD strategic mobility analyses also addressed the potential for an Iraqi attack. Despite this OSD attention to the potential for an Iraqi attack as part of the Prepare strategy, prior to December 1989 neither the CINC nor the Joint Staff had identified a need for an OPLAN addressing the U.S. response to an Iraqi attack. As a result, when Iraq attacked Kuwait in August 1990, no OPLAN existed. CENTCOM had conducted some preliminary planning, however, and had also developed insights in a command post exercise conducted in July 1990. As a result, the OPLAN for the Gulf War had to be developed in real time. Although it is pure speculation, it is tempting to suggest that, had OSD had a role in Respond-related activities in the years preceding the Iraqi invasion, either writing guidance or reviewing OPLANs, there might have been an OPLAN.

Although OSD did not write guidance or review OPLANs in those years, by 1990 OSD had developed a highly structured "Crisis Action System" designed to assist SECDEF in taking U.S. forces to war with the Warsaw Pact.

The Crisis Action System involved a series of boards and committees with membership from the Services, the Joint Staff, and OSD. It had only been employed in exercises and had never been activated in a real crisis. It was essentially designed for a Cold War scenario involving a surprise attack by the Warsaw Pact. The Crisis Action System was not activated for the Gulf War.

In the place of the formal Crisis Action System, the OSD staff largely maintained its day-to-day operation style. Secretary of Defense Cheney and his principal advisors worked closely with the Chairman of the Joint Chiefs of Staff and with the CINC. The President or the Secretary made decisions with the minimum amount of staff work. Secretary Cheney and his staff reviewed the attack plan and directed changes that led to an increase in the forces and in the tactics to be employed. The OSD staff was involved in other aspects of the planning as well. The ASD (P&L) and his staff participated in efforts to surge critical consumable items and expedite the delivery of materiel from key industrial activities. The DASD (Requirements and Plans) and the Operational Planning Group of selected OSD personnel worked on a wide range of longer term issues. Staff members from OSD (PA&E) assisted in planning the strategic air and sea lift activities.

IV. CURRENT OSD ROLE IN RESPOND-RELATED ACTIVITIES

OSD Role in Providing Guidance and Review of Contingency Plans Is Limited

The Goldwater-Nichols Bill was passed by the Congress in 1986. The first Contingency Planning Guidance (CPG) was approved by the President and signed by the SECDEF in January 1989 with the expectation that it would be issued on an annual basis. No OPLAN reviews were conducted in 1989. The end of the Cold War brought major changes to U.S. national security strategy and thus to the CPG. Because of the changes, no CPG was issued in 1990. A new CPG, based on the new strategy, was issued in 1991. The Joint Staff issued a new Joint Strategic Capabilities Plan in 1992 and the first review of the strategic concept, the first step in the OPLAN review process, was conducted in the fall of 1992. By the end of 1993 a two-step review process had been established. In step one, the CINC strategic concepts are reviewed by the OSD staff and approved by SECDEF. In step two, the full plans are reviewed by the OSD staff and approved by SECDEF. The process has remained essentially the same since 1993.

OSD participation in the review process has essentially been limited to a small office in the OUSD(P). The first director of that office was a retired Army LTG and former Joint Staff J-5. Today the director of the office is a career civilian but his key review staff members are in uniform. Unlike the Joint Staff where all the Directorates participate in the CPG review, the review remains limited to that office and senior political appointees in the OUSD(P) and the Under Secretary.

Although the other three Under Secretaries of Defense and the ASD (C3I) have important responsibilities in this area, they do not participate in issuing the CPG or in reviewing OPLANs. The CPG and the OPLAN reviews focus mainly on issues of interest to the policy community.¹ There is no review of issues that are the responsibility of other Under Secretaries. In addition, unlike the SIOP review described above, there is no analysis of requirements or of capabilities associated with the OPLAN review.

¹ The impact of their limited review was obvious during Exercise Positive Force when it became clear that the only person familiar with the plans was Dr. Warner, the ASD (S&R).

Most OSD staff members are far removed from Respond-related activities and most have no idea what their Respond-related duties are. In interviews among the various OSD staff elements, most of the civilian personnel didn't believe they had any Respond-related responsibilities. They felt that their only role was to be involved in policy development; acquisition management; and planning, programming and budgeting activities. They viewed exercises like PF98 as something that they could let the Reserve personnel assigned to their office do or that they could defer to the military. Most OSD personnel did not consider participation in the exercise to be part of their management oversight responsibilities.

Perhaps as a result of this attitude or their belief that day-to-day activities have a higher priority than their Respond-related duties, OSD staff participate minimally in exercises. For example, in 1987, the DoD conducted Exercise Positive Force, the first mobilization exercise since 1989, and OSD participation was minimal. Although there is limited participation by members of OUSD(P) in CJCS exercises, there is essentially no participation by staff members or other USDs in these exercises. It was the study team's conclusion that staff members from the OUSD(A&T) were the most removed from their Respond-related duties.

OSD Staff Is Largely Uninvolved in Real-Time, Crisis Response Activities

A large portion of the OSD staff is involved in day-to-day operations of the Department of Defense. These activities involve management of ongoing programs, response to congressional needs, and other real-time demands. Included in these day-to-day activities are those tasks associated with the Shaping strategy. The staff in OUSD(P) is closely involved with the interagency community, the Joint Staff, and the CINCs in Shaping activities. OSD staff members generally report a close, day-to-day OSD/JS relationship at all levels. They report having productive discussions with their Joint Staff counterparts on both ends and means. This allows DoD to bring a carefully coordinated position to the interagency arena.

This close cooperation changes when there is a shift from Shaping activities to Respond activities. When Respond activities are involved, the Joint Staff builds a "firewall" between itself and the OSD staff. This shift reportedly occurs when responsibility for an action in the Joint Staff and the CINC staff shifts from the J-5 planning staff to the J-3 operations staff. This is similar to the situation that used to exist when OSD staff members were not allowed access to details of the OPLANs under the

provisions of MOP 39. In that case OSD staff members were allowed to participate in Prepare activities but not in Respond activities.

In recent crises involving Iraq, for example, the OUSD(P) was closely involved with the Joint Staff in assuring a well-coordinated DoD position on Shaping activities. The moment the use of force arose as part of the Respond strategy, the OSD staff was cut out of the planning process. The CINC and the Joint Staff prepared options and selected forces without consultation with the OSD staff. They briefed these options at the highest level with no OSD staff review of key issues. Although OSD has important responsibilities for such issues as regional political and economic impacts; for WMD response readiness; for materiel, training, and medical readiness; and for questions regarding the need for military or industrial mobilization, the OSD staff was not consulted.

OSD's SSC Responsibilities Are Scattered

Current policy oversight within OSD is diffuse with no one below the Secretary and Deputy Secretary of Defense clearly responsible for the coordination of policy and oversight of all Respond-related activities. Responsibilities for the bottom portion of the Respond spectrum are currently assigned as follows:

- ASD (SO/LIC) - Combating terrorism, NEO, domestic preparedness for WMD, humanitarian assistance, peacekeeping and other complex contingencies, and special operations for small scale contingencies and consequence management for terrorist incidents, counter drug programs
- ASD (C3I) - Critical Infrastructure Assurance, intelligence support for combating terrorism, support to law enforcement agencies, military operations and the National Foreign Intelligence Program and to ensure essential communications for the National Command Authority, the Federal Government and to support military operations.
- DDR&E & USD (A&T) - All matters relating to nuclear, chemical, and biological defense including support to civil authorities, on-site inspection, arms control treaty monitoring and compliance, cooperative threat reduction, force protection, technology security activities
- ASD (S&TR) - Counterproliferation
- Secretary of the Army - Military support to civil authorities including support to the Federal Response Plan and domestic preparedness for WMD, continuity of operations

Meeting these responsibilities will require a fully integrated effort and close coordination between OSD, the Joint Staff, Federal Departments and Agencies, State and local government organizations, industry partners, DoD components, and coalition and international partners. The diffusion of effort suggested by the stovepipe nature of these assignments suggests that DoD may not have the ability to address these issues with a corporate perspective and may have difficulty responding effectively to these challenges. Especially since many of these threats could occur as a series of interrelated events.

Terrorist incidents may not be an isolated event; peacekeeping, peacemaking, enforcement, or humanitarian assistance may lead to a regional conflict and eventually to major theater war. Effective response will require the ability to quickly and effectively analyze and distill information about changing security threats, to communicate that information quickly throughout the defense community, and to develop appropriate military actions. This cannot be done by many organizations operating independently—unaware of other factors that may have a dramatic impact on current policy, plans, and resources. The conduct of operations across the Respond spectrum calls for an OSD structure that can provide coherent Respond-related guidance and coordinated management oversight.

OSD Oversight Is Built into U.S. Planning for Peacekeeping Operations, PDD-56

A recent Presidential Decision Directive (PDD), Complex Contingencies (PDD-56), has been issued to establish how the U.S. Government will manage its interagency involvement to respond to future complex contingencies, i.e., peacekeeping operations. Since the Cold War, the U.S. military has been involved in numerous small-scale contingencies (SSCs) and other military operations involving civilian agencies and the international community. These SSCs encompass the full range of joint military operations beyond peacetime engagement but do not include low intensity conflict or major theater war. In nearly every case, the military were deployed to complement or support civilian resources, including a wide range of U.S. and international government and non-governmental organizations.

PDD-56 requires a Political-Military Implementation Plan to be developed that addresses political, diplomatic, humanitarian and civic assistance, intelligence, and economic aspects of the operation. The plan is to be used to coordinate U.S. Government activities and to coordinate those activities with other organizations involved in the complex contingency response process. PDD-56 calls for a detailed plan that assigns lead agency and supporting agency responsibilities and calls for a situation assessment,

mission statement, agency objectives, tasks to be achieved, and desired end state. The plan is to outline an integrated concept of operations to synchronize agency efforts. It requires an integration of civil and military planning and operations. The plan identifies preparatory issues, e.g., congressional consultations, diplomatic efforts, legal authorities, funding, media coordination, and calls for a wide and thorough review of the implementation plan.

Because of the wide spectrum of missions and variations in the environment under which tasks and duties must be carried out, PDD-56 specifies that tasks and responsibilities must be tailored to a specific scenario. As part of the planning process PDD-56 calls for an interagency rehearsal and review, to identify differences over timing, synchronization and resource allocations and to underscore responsibilities under the plan. Finally, after the conclusion of each operation, PDD-56 directs the Executive Committee to charter an after action review involving those who participated in the operation and those that monitored its execution. The goal of this review is to capture lessons learned and ensure their dissemination to relevant organizations.

OSD Readiness Oversight Is Limited

Both the Chairman of the Joint Chiefs of Staff (CJCS) and the Under Secretary of Defense for Personnel and Readiness, USD (P&R), have Title 10 responsibilities for military readiness. Title 10, section 136, calls for the USD (P&R) to "perform such duties and exercise such powers as the Secretary may prescribe in the areas of military readiness."

Title 10, section 482, directs the Secretary of Defense to submit a quarterly report to Congress regarding military readiness. The report requires information on:

- Readiness problems and deficiencies and remedial actions based on quarterly readiness assessments.
- Comprehensive readiness indicators covering personnel strength, personnel turbulence and other personnel matters, training, logistics covering availability of equipment, maintenance and supply and unit readiness indicators.

Title 10, section 153(a)(3)(D), directs the Chairman of the Joint Chiefs of Staff after consultation with the CINC's, to establish, a uniform system of evaluating preparedness of each combatant command to carry out assigned missions, and a uniform system for reporting on the readiness of the combat support agencies with respect to war or threat to national security 10 U.S.C. 193 (c).

The Chairman's Readiness System was implemented to provide the Chairman of the Joint Chiefs of Staff the information necessary to fulfill these responsibilities. The Joint Monthly Readiness Review (JMRR) is the central component of the Chairman's Readiness System. The JMRR is intended to provide the Chairman and the Joint Staff a broad and comprehensive assessment of military readiness. The goal of the JMRR is to assess current ability to execute the most demanding tasks in the National Security Strategy. With exception of the DUSD for Readiness, OSD is not represented in the JMRR process.

The OSD staff has no comprehensive system to provide uniform policy and procedures for assessing readiness or reporting deficiencies in warfighting capabilities in any of its areas of responsibilities. Although many of these areas are reported on in the JMRR by the Military Services or the combat support agencies, these reports do not appear to be sufficiently detailed to provide the information the OSD staff should have to execute its duties fully. For example, although the OSD has management oversight responsibility for key resources areas such as transportation, communications, intelligence, maintenance, war reserves, industrial support for repair, supplies and services, support from civil agencies, spares, fuels, ammunition facilities, HNS, access and basing rights, international agreements, treaties and conventions cooperative logistic supply agreements, contingency procurements and other key capabilities and enablers needed to meet the demands of national security strategy, OSD has no way to measure or assess DoD readiness in these areas.

The Senior Readiness Oversight Council (SROC) was established in 1994 by the Deputy Secretary of Defense William Perry, as a forum to oversee and coordinate DoD efforts on readiness. The SROC focuses on both near- and long-term issues, with the following objectives: (1) to provide top-level coordination and oversight of DoD readiness activities; (2) to make recommendations to the Secretary on readiness policy; and (3) to coordinate the DoD positions on readiness. The membership includes the DEPSECDEF as the chairman; the Vice Chairman of the Joint Chiefs of Staff; the four OSD Under Secretaries; the Under Secretaries of the Military Departments; the Service Chiefs; other OSD officials including the ASDs for Reserve Affairs, Strategy & Threat Reduction, and C3I; the Directors of PA&E and DR&E; and the DUSDs for Readiness, Logistics, Industrial Affairs and Installations, and Environment. The SROC operates on a 3-month cycle that is linked to the Chairman's Joint Monthly Readiness Review (JMRR). Inputs that are provided to the SROC are mainly summaries of information from the JMRR.

SROC attendance is limited to "principals" and invited guests. The Deputy Secretary does not delegate authority to Chair the SROC. The SROC provides a forum for understanding readiness across the full response spectrum. It provides a way to keep top civilian and military leadership apprised of readiness issues. It is the only forum where senior civilian and military leaders work together to solve readiness problems and to identify priority readiness deficiencies that need immediate attention. The readiness issues addressed in the SROC form the basis of the Quarterly readiness report to Congress, 10 U.S.C 482. It appears, however, that OSD staff involvement in the readiness assessment and reporting process is minimal.

The OSD staff apparently uses the SROC primarily as a tool for receiving readiness reports. With the exception of the staff of the Deputy Under Secretary of Defense for Readiness itself, there is little evidence of OSD staff taking actions in response to these reports. A review of SROC activities also suggests that the SROC receives readiness reports primarily on DoD readiness to execute major theater wars but not on the readiness to execute the full range of contingencies across the Respond spectrum.

There is also little coordination between the OSD staff members who conduct contingency plan reviews and the staff members who conduct readiness reviews. The OSD staff also doesn't fully utilize the recurring analysis of force capabilities being conducted by the Joint Staff. As part of the Joint Warfighting Capability Analysis (JWCA) process, the JWCAs look at capabilities and requirements of future forces to support the Chairman's need to make specific program recommendations to the Secretary. There is an intrinsic tie between the JWCA process which validates and prioritizes future requirements and mission needs and the JMRR which reports on current capabilities to execute current missions. Theoretically, the JMRR should provide the basis for the JWCA analyses.

IDA Analyses Reveal Problems with Respond Activities and OSD Oversight

Recent studies by IDA identified a number of problems with DoD planning for Respond-related activities and a number of problems with OSD oversight of DoD Respond-related activities.

IDA Review of Army Shortfall of War Reserve Secondary Items. During the FY 96 program review, in response to an Army shortfall of \$3.5 billion in its readiness accounts, the Deputy Secretary of Defense directed the Deputy Under Secretary of Defense for Readiness to review the efficacy of the Army War Reserve Automated

Process (AWRAP), to quantify risks associated with the shortfalls, and to suggest actions to mitigate those shortfalls. The DUSD (R) requested IDA to assist in that review. Overall, IDA found a process that appeared to be on automatic pilot with little management supervision by the Service staff or the OSD office with functional responsibility for war reserve inventories. The process appeared to be designed more to build a stockpile "requirement" than to solve problems or to identify alternatives to meet CINC needs. IDA research also indicated that the Services do not coordinate their war reserve planning among themselves or with the CINCs. Also, there were disconnects between Army planning and CINC or DoD Component planning for several classes of supply. The OSD staff that had functional responsibilities for war reserves and logistic support appeared to have little or no interest in the problems uncovered with the AWRAP, in the possibility that problems might exist with the other Services war reserve planning and program execution, or in the possibility that the Services war reserve programs did not support CINCs OPLANS.

IDA Review of CINC and Army External Support (ES) Plans. The study was requested by the Office of the Director (Program Analysis and Evaluation) to evaluate the role of external support (ES includes wartime host-nation support, contingency contracting for services and supplies in theater, extension of peacetime contracts for additional contractor support) in Total Force planning efforts conducted by the Army. The study demonstrated the possibility that expanded use of external support (ES) in theater could result in shorter deployment times and could contribute significant savings. During the Cold War the United States relied heavily on ES from its NATO allies and other allied and friendly countries. More recently, the use of ES during the Gulf War, although ad hoc, provided critical and needed support to sustain the build up of combat forces and the attack into Kuwait and Iraq. DoD has policies for the use of ES in NATO but no explicit policy addressing the two scenario conflicts currently used as a basis for defense planning. Despite its potential for significant cost savings, the Army had not taken advantage of the potential of external support. The OSD offices with functional responsibilities for the use of HNS and other forms of external logistic support arrangements have not provided management oversight or any clear policy or guidance on the use of ES in the current strategy.

Recent DoD IG Audit Reports have concluded the following: (1) the OSD and the Combatant Commands are not adequately overseeing the management and administration of international agreements; (2) they conduct no assessment of their continued requirement for these agreements; (3) the need for these agreements is not

incorporated into the planning process; and (4) neither OSD nor the Combatant Commands know if arranged support will be provided in a timely and efficient manner during a crisis or contingency.²

IDA Review of Joint Endeavor. IDA was tasked by the U.S. European Command (USEUCOM) to review the U.S. operations in support of Operation Joint Endeavor (OJE) in Bosnia, to identify the major lessons learned, and to provide recommendations for potential remedial actions. Although the study documented an impressive performance by U.S. forces, it also identified specific improvements needed in planning, in organization, and in the initial deployment phases for future small-scale contingencies and peacekeeping operations. Also, the study identified specific Title 10 issues regarding command and control within the theater, conflicts in the use of critical facilities and infrastructure, use of multinational logistics, and force protection issues. The operation also highlighted the critical importance and contributions of the Reserve Component, including the need to streamline the process of requesting individual augmentation and matching required skills to specific personnel. Virtually all of these problems reflect a lack of OSD policy or management oversight.

IDA review of intertheater lift capability. The intertheater lift study, a follow-up Joint Warfighting Capability Analysis (JWCA) by the J-4 Mobility Division of the Joint Staff, resulted from a Mobility Requirement Study done as part of the DoD Bottom Up Review. The study addressed common user, intertheater lift workload requirements, for the movement of cargo, (men and materiel) from the ports of debarkation and prepositioning sites to destination air bases, staging areas, and tactical assembly areas. Study findings identified a lack of contingency planning for a critical Respond-related functional resource area, transportation. There were also no Host Nation Support agreements in a critical theater where a host nation could have supplemented intertheater lift and RSOI capabilities. No contingency planning had been done to accommodate the use of intermodal transportation assets, e.g., containers in the theater. OSD staffs with functional responsibilities in this area were not part of the study group. The lack of OSD staff participation in this JWCA analysis appears to be typical of most JWCA analyses.

² DoD Inspector General Audit Report No. 98-025, Management and Administration of International Agreements in the DoD, November 19, 1997, and Report Number 97-113, Management and Administration of International Agreements in the U.S. Pacific Command, June 23, 1997.

OSD staff members with functional area and management oversight responsibilities in JWCA assessment areas could provide important support to JWCA activities. Working with the Joint Staff and the CINCs they would also be able to ensure that current and future warfighting needs are met and to ensure that current policies, guidance, resource allocations and program execution by Military Departments and combat support agencies are meeting operational needs.

V. JOINT STAFF VIEW OF OSD ROLE

As part of this study the IDA team examined the role of OSD in Exercise Positive Force 98 (PF98), a government-wide mobilization command post exercise (CPX) sponsored by the Chairman of the Joint Chiefs of Staff (CJCS). It was the first mobilization CPX since the end of the Cold War and the first to focus on the new strategy. The exercise objectives were to assess current doctrine, policy, and procedures to mobilize and conduct a large-scale military operation preparing for major theater war. The exercise tested, under mobilization conditions, our capabilities to:

- Expand the force, including the activation of all or part of the Reserve components and the assembly of active duty personnel
- Surge or expand capabilities to equip, maintain, and sustain deployed forces
- Strategically deploy and redeploy
- Undertake strategic direction and integration
- Gather strategic intelligence to support mobilization needs

The team's observations of the exercise can be found in appendix A.

A. OBSERVATIONS

In addition to our evaluation, The Joint Staff conducted an evaluation of the exercise that addressed the role of the Office of the Secretary of Defense, among other issues. The JCS observations (unclassified) of OSD are included in the Joint Universal Lessons Learned System and summarized below.

Ill-defined roles and responsibilities. There was no overall office of responsibility within OSD for mobilization planning and crisis management or ensuring that the Title 10 duties and responsibilities of the Secretary of Defense were carried out. There was no evidence of an established process, matrix organization, or steering group to plan, monitor, or integrate the Departmental respond activities or to provide advice or fully staffed recommendations to the Secretary of Defense on the mobilization. DoD Directive 5111.1, Under Secretary for Defense for Policy, March 22, 1995, directs the USD (P) to ... "develop policy and provide oversight for emergency planning and preparedness, crisis management, defense mobilization in emergency situations...." DoD

Directive 3020.36 delegates to the USD (P) responsibility for oversight of policy and programs for mobilization, the interagency coordination for mobilization, contingency plan review, and determination of the political and military implications of a crisis. During the conduct of Exercise Positive Force the USD (P) office responsible for emergency planning, crisis management, and mobilization did not exercise any of its crisis management or oversight responsibilities. To the degree there was any OSD staff input on various mobilization-related issues or questions, it was uncoordinated or random. The only existing focal point for crisis actions in OSD was the Executive Support Center (ESC) reporting to the DUSD for Policy Support who is under the USD (P). The JCS observed that the role of the ESC was ill defined, it was not staffed adequately by various OSD offices, and it was regarded only as a message center and briefing area. The ESC did not have the authority to direct crisis actions by the OSD staff or other DoD components.

Lack of DoD policy and guidance. The Joint Staff observed that the lack of DoD policy and guidance for mobilization hampers the ability of the national defense community to respond to a major crisis. They further observed that there was considerable atrophy in the plans, policies, procedures, and individual knowledge and skills required to execute and coordinate major theater war level operations. Documents have not been updated to reflect changes in organizations and missions. Training in emergency preparedness procedures is nearly nonexistent. The DoD Mobilization Master Plan, DoD 3020.36-P, is the controlling document for mobilization within the Department of Defense. It directs mobilization planning for the Office of the Secretary of Defense (OSD) and its field activities, the Military Departments, including their National Guard and Reserve Components, the Joint Staff, the CINCs and the Defense Agencies. The Master Mobilization Plan was last published in 1988 and can no longer provide even first-level guidance to the OSD staff, the Joint Staff, Military Departments, Combatant Commands, or other DoD components. It reflects a mobilization process based on a Cold War strategy, fixes responsibility for organizations that no longer exist, and lists legal authorities and programs that have been superseded or discontinued because they are no longer relevant. There are numerous other outdated Respond-related documents, directives, and instructions. Some date back to the 1970s (see appendix C). Most do not reflect changes in current organizational structure and assigned responsibilities or in the National Security Strategy.

Inadequate OSD participation. Throughout the exercise, questions asked by the OSD exercise staff participants including the Exercise Secretary of Defense

(EXSECDEF) went unanswered or were responded to by incomplete, unstaffed, or wrong answers. Fewer than a third of the actions assigned to OSD could have been considered completed. In some cases assignments were given to the wrong office and the office with the functional responsibility wasn't involved. The OSD staff relied heavily on reservists to support the exercise. The reservists knew the administrative mechanics and processes but did not have sufficient background or guidance to know who was responsible for an action. Nor did they have the ability to appraise the quality of the responses from OSD, the Military Departments, and other DoD components. Also, there was a lack of familiarity with existing emergency authorities and legislation and with the procedures to process a request for additional emergency authorities needed to respond to a crisis.

Lack of interagency participation. A key objective of Exercise PF98 was to foster relationships with Federal civil agencies critical to the mobilization process. DoD would need support from such agencies as the Federal Emergency Management Agency, Department of Transportation, Department of Commerce, Department of Veterans Affairs, Department of State, and others to respond to and fight a major theater war. The Joint Staff observed a lack of knowledge and understanding of the interagency process to support mobilization or major theater war. The Joint Staff concluded that the exercise reflects the lack of communication, commitment, and planning between agencies of the Federal government in carrying out the direction of Title 50, War and National Defense, and other titles of the U.S. Code as well as E.O. 12656, Assignment of Emergency Preparedness Responsibilities, and other Presidential directives and orders that assign wartime and emergency preparedness duties to DoD and other Federal Departments and Agencies.¹ The lack of planning and interagency coordination for responding to a major war has resulted in ad hoc interagency coordination focused mostly on small-scale contingencies and domestic preparedness situations. There has been little or no emphasis on the middle to high end of the conflict (Respond) spectrum.

Limited sources of advice. The Joint Staff observed that there was no office in OSD with overall responsibility for mobilization planning and crisis management and that SECDEF received advice mainly from military sources. This situation has contributed to outdated guidance, a lack of understanding of Respond-related roles and responsibilities among the OSD staff, and a lack of any type of crisis management mechanisms. In addition, there is no capability to ensure quality inputs or consolidate

¹ See appendixes B and C.

and forward staff recommendations to the Secretary of Defense in support of the Secretary's Title 10 responsibilities. There are, however, task forces established to manage SSCs or other low-end crisis actions. Although these may be effective for smaller efforts, they cannot manage a Department-wide response for large-scale military operations. During the course of PF98 many issues brought to the attention of the Exercise SECDEF should have been reviewed and coordinated by the OSD staff, DoD components, and other Federal Departments and agencies.

B. RECOMMENDATIONS

The Joint Staff made the following recommendations to improve mobilization planning, crisis management, and oversight within the Department of Defense.

Designate an OSD Chief of Staff. A chief of staff should be designated and given full authority for coordinating actions and forwarding reliable and fully staffed recommendations in a crisis to the Secretary of Defense. The chief would ensure that actions were forwarded to the right functional office and coordinated with other interested organizations, and would respond with a timely and fully staffed recommended course of action based on reliable information. The chief would also ensure that other Federal agencies were involved and that lessons learned and considerations for future actions, objectives, policy, and resource allocations were acted on.

Increase JS-OSD Cooperation. The Joint Staff and OSD should work together to develop plans, policies, and procedures to ensure timely consideration of major mobilization decisions to support OPLANS. The Joint Staff and OSD should develop a mechanism to begin long-range planning at the onset of a crisis, perhaps encompassing a process or model to ensure a start point for mid- to long-range planning when a crisis develops. Planning for a series of Respond-related actions that are required for a full spectrum of conflict will require decision points if a crisis escalates or de-escalates. A key Joint Staff finding was the inability of the Secretary's staff to ensure that a timely, accurate, and fully staffed position was provided for consideration of the many critical mobilization decisions that needed to be made by the exercise SECDEF.

Charter a Mobilization Steering Committee. The Secretary of Defense should charter a mobilization steering committee to update mobilization policy and crisis management mechanisms. The committee should conduct a comprehensive review and update of mobilization policy and guidance. The review would include publishing a successor to the Master Mobilization Plan (MMP), which fixes responsibilities for mobilization planning and first-level crisis response actions for OSD, the Joint Staff,

Military Departments, and DoD components. The review should reestablish emergency preparedness and mobilization planning within DoD and should reestablish the interagency interface related to mobilization and emergency preparedness coordination and actions. The Joint Staff further recommended that OSD establish an office of primary responsibility for emergency preparedness and mobilization planning and crisis management and Respond-related actions within the OASD (Policy). As a first order of action the Joint Staff recommended that the USD (P) develop a charter for and designate an official to co-chair a DoD Mobilization Steering Group along with the Director for Logistics (J4).

Regularly Review Reserve Component Mobilization Requirements. Requirements for the Reserve component forces in OPLANS require regular review by OSD. The Joint Staff observed that there were significant problems encountered in calling up the reserves. The current military strategy and Total Force policy place a high reliance on the use of the Reserve component early in the crisis to fulfill critical transportation and logistic support functions. They also rely on reserves for health services support and other combat support roles with early arrival dates. Limitations on Reserve call-up before a Partial Selective Reserve call-up (PRSC) or a declaration of a Partial Mobilization mandates that OPLAN requirements for reserves be reviewed carefully on a regular basis.

Plan for Industrial Mobilization. Plans, policies, and procedures for industrial mobilization need to be developed. The Joint Staff observed that OSD made little effort to identify and assess the adequacy of industrial base prioritization and allocation or to assess the ability to expand industrial production. Since Operation Desert Shield and Desert Storm, the doctrine and system for logistic support have changed, relying more on industry than on inventory. New "focused logistics" practices place an increased emphasis on effective planning, efficient processes, and commercial business practices to get material from the producer or commercial vendor rather than depot stock and war reserve inventory. Focused logistics involves a revolution in DoD business practices that reduces infrastructure and inventory cost by optimizing the use of commercial capability and business practices and the privatization of DoD-operated facilities and support functions. Business arrangements with industry to share capacity with commercial customers and reduce lead times, tailored distribution, use of electronic commerce, flexible manufacturing, and electronic catalogs are just a few of the new business practices being adopted by the Military Departments and DoD components. There is also a heavy reliance on surge clauses and rotational stock contracts to meet the expanded

demand of critical consumable troop support and medical material that will be needed in dramatically higher quantities than in peacetime. These new supply arrangements and business practices need to be tested and modified as necessary to ensure that OPLAN requirements can be met.

Improve Interagency Coordination. The Joint Staff, in coordination with OSD, should identify ways to strengthen communication and dialogue between Federal departments and agencies. In many cases, there was little or no participation by any of the civil agencies needed to support DoD Response to a large-scale military operation. DoD will depend heavily on interagency support to meet Respond-related duties throughout the Respond spectrum. Terrorist attacks on the homeland and critical infrastructure or on troops and Americans overseas, noncombatant evacuations, force protection, small-scale and complex contingencies, and other actions on the low end of the conflict spectrum will require close integration with civil agency planning and will require the means to integrate operations. Respond-related actions for major theater war will require close civil support for expanding transportation and communications capacity through the use of civil assets, expanding medical support and facilities, and surging the industrial base for ammunition, medical supplies, troop support items and critical spare parts.

Ensure Secure Crisis Communications. ASD (C3I), in coordination with the Joint Staff, should develop secure means for essential crisis communications among Federal departments and agencies. The Secretary of Defense is the executive agent of the National Communications System (NCS), which provides essential communications support to DoD and other government agencies in times of a crisis. The ASD (C3I) is the action agent and manager of the NCS. The ability to respond to a full spectrum of threats will require reliable and secure communications between civil agencies and DoD. The National Security Strategy requires DoD to support civil agencies responding to counterterrorism activities, mitigating incidents involving WMD, terrorist attacks and natural disasters, physical and cyber attacks on critical infrastructure, and other transnational threats. Civil agencies will also provide support to DoD for major military operations. Exercise PF98 demonstrated that the Department was ill-prepared to expand the capacity of commercial communications during a crisis.

Plan for Handling WMD Casualties. The Joint Staff, the ASD for Health Affairs (ASD (HA)), the Assistant to the Secretary of Defense for Nuclear, Biological and Chemical Programs (ATSD NBC), and other responsible offices should develop joint doctrine, policies, procedures, and plans for evacuating chemical, biological, or

radiological battle casualties. Exercise PF 98 identified issues regarding the department's ability to meet medical needs during operations in a chemical and biological environment. Contamination of personnel, equipment, and supplies from chemical and biological agents will require specialized training, equipment, and supplies and carefully developed and practiced procedures for handling, transportation, and medical care.

VI. CONCLUSIONS AND RECOMMENDATIONS

A. CONCLUSIONS

Since the founding of the Nation, civilian control of the military has been an unquestioned and fundamental principle for maintaining a democratic form of government. The Constitution incorporates this principle, giving Congress the power to make rules and govern the military. The President is Commander in Chief of the Armed Forces, but Congress has the power to declare war and to raise and maintain the Armed Forces. The National Security Act of 1947, 50 U.S.C. 401, further provides for unified direction of the Department under civilian control of the Secretary of Defense and a clear and direct line of command from the Secretary to the unified and specified combatant commands. This principle is clearly applicable in all three legs of the National Security Strategy.

The Secretary exercises Respond-related authority, direction, and control over the Department in a number of ways. He uses DoD directives to communicate DoD policy and guidance on a wide range of Respond activities. The OSD staff writes these directives. He uses the Defense Planning Guidance to communicate guidance relevant to all three legs of the strategy. The OSD staff in coordination with the Joint Staff and the Services writes the DPG. He uses management systems such as the Planning, Programming and Budgeting System (PPBS) and the acquisition management system to make resource allocation decisions that affect all three legs of the strategy. The OSD staff manages and administers these management systems. The Secretary uses the Contingency Planning Guidance to direct the Joint Staff and the CINCs in their Shaping activities, in the development of their Theater Engagement Plans, and the development of their OPLANs. The OSD staff in coordination with the Joint Staff writes the CPG. The Secretary uses the OPLAN review process to ensure that the CINC OPLANs are consistent with his policy. The OSD staff conducts this review. The Secretary uses the Senior Readiness Oversight Council (SROC) to receive readiness reports from the CJCS and the Services and to monitor the readiness of the Department to execute the Respond strategy. The OSD staff manages the SROC. Although we argue in this study that many

of these OSD Respond-related activities are inadequately performed, the authority for performing them is clear. What is needed is a decision and commitment to perform these Respond-related duties better.

The Secretary's civilian staff, the OSD, is the top leadership and management organization whose most important responsibility is to develop policy, provide the Secretary with functional expertise and to establish processes, systems and procedures to control a vast and complex defense structure. The sheer volume of information, an increasingly volatile and complex international security environment, the pace of activities and demands on the time of top Defense officials all require a strong and responsive OSD staff. The national security strategy has identified new missions such as counter-proliferation and threat reduction, as well as multiple new missions at the low end of the Respond spectrum such as combating terrorism, humanitarian assistance, peacekeeping, and support to civil authorities.

In this environment, the findings of the 1985 Locher Report are even more relevant. For instance, the Secretary and Deputy Secretary have enormous and demanding responsibilities. They do not have the time to effectively review numerous contingency plans and ensure that they are consistent with national security policy. More importantly, they cannot provide the management oversight needed to ensure that policies are executed and that plans and programs are consistent with the operational needs of the combatant commands. These duties are the responsibility of the Secretary's staff.

Failure to provide adequate management oversight during planning and resource allocation activities can severely limit options during execution of a military operation. Management oversight by OSD is needed to ensure the Military Departments and Combat Support Agencies can execute the contingency response plans; that materiel, transportation and communications are available; that plans for HNS, access and operating rights, and critical infrastructure are in place; and that other Respond-related resources such as intelligence, maintenance and health service support can meet operational needs. OSD cannot wait to exercise management oversight during a Respond operation without disrupting existing plans and execution. Civilians in both DoD and other civil Departments and agencies must practice in peacetime what they will be called on to do in wartime or other crisis. Historically, civilians have made important contributions to Respond operations. Civilians are an essential part of the Total Force and will perform many essential Respond functions and duties in support of military operations.

Management oversight by OSD also means addressing the deficiencies in current Respond-related capabilities. This effort requires close coordination with the Joint Staff, the Military Departments, the CINC's and defense agency staffs. Remedial actions could be policy, operational or fiscal. They could be interim solutions and workarounds or long term programmatic investments. Management oversight also means validating and prioritizing requirements and programs as well as providing the baseline for resource allocations and future investment decisions.

B. RECOMMENDATIONS

OSD should take actions to ensure that it participates effectively in all three legs of the National Security Strategy. OSD should work with the Joint Staff to develop a cooperative and effective relationship consistent with their mutual and shared responsibilities. The OSD role in the Respond strategy should be based on expanding existing precedents to cover the entire Respond spectrum. These three precedents have been described above. They are:

- OSD/JS participation in SIOP oversight
- Government-wide participation in peacekeeping operations, PDD-56
- SROC review of readiness for MTWs

Should OSD decide to expand upon these three precedents, no major changes would be required. No legislation would be required as existing authorities are sufficient. No new staff organizations would be required. Some shifting of personnel or of staff priorities would likely be called for. There would not have to be any changes in the current interagency processes. OSD participation in these processes would be enhanced by the changes described below.

Perhaps most importantly, the changes would be consistent with the principles established for the Office of the Secretary of Defense in the Defense Reform Initiative. These changes would help “assure civilian control of all higher purposes and priorities of the DoD.” They would be consistent with “the higher purposes and priorities of the Department” and with “Oversight (not day-to-day management) of DoD’s operating components.”

In fulfilling its Respond-related duties the OSD should consider the following specific recommendations:

1. It should assign responsibilities for coordinating OSD Respond activities to one official. That official should be within OUSD(P) and most likely should

be the ASD(S&TR), who should be made responsible for coordinating all OSD Respond-related activities. This would be consistent with that ASD's current responsibilities for providing guidance for DoD planning across the Respond spectrum, the Contingency Planning Guidance, and for conducting the OSD review of deliberate plans across the Respond spectrum. The ASD(S&TR) should also be given the currently unassigned responsibility for coordinating DoD crisis response activities.

The ASD(S&TR) should also take over the responsibilities previously assigned to the Emergency Preparedness Planning office and currently in limbo. These responsibilities include emergency planning, mobilization, and exercise support.

2. OSD activities should expand across the Respond spectrum. The CPG should be expanded to cover all contingencies—foreign and domestic—and all Respond-related functions. The CPG thus would become the master document for DoD-wide Respond planning.

The OSD Contingency Plan Review should be expanded to include the entire Respond spectrum in both deliberate and crisis planning. Such an expansion would be consistent with Title 10 which calls for review of contingency plans in general. It would be consistent with the precedent established by current SIOP practices and with PDD-56 which calls for review of complex contingency plans. Indeed, PDD-56 procedures can serve as a model for the entire Respond spectrum. In addition, PDD-39 calls for review of terrorism-related contingency plans and the Counterproliferation Council reviews CINC and Service capabilities to fight in an NBC environment.

The OSD review process might be conducted entirely within OSD under the authority of the USD(P). Alternatively, OSD might work with the Joint Staff to create an integrated OSD/JS review process.

3. OSD participation should be expanded to include representatives of each of the Under Secretaries and the ASD(C3I). An OSD-wide team would participate in DoD Respond-related activities under the authority of the ASD(S&TR). The team would be semi-permanent to assure functional coverage while protecting operational security. It would participate in the review of contingency plans and would serve as the basis for the OSD crisis response team. This team could also be responsible for rewriting, updating, and creating new Respond-related DODDs and instructions. This change would be consistent with the Joint Staff recommendation described earlier.
4. OSD should accept the Joint Staff recommendation to develop a mechanism to begin long-range planning at the onset of a crisis. The team described in recommendation #3 would be an appropriate forum for this type of long-

range planning. Such a planning process might help to solve the problems that arose in Panama post-conflict, in Somalia in 1992–93 and in Haiti in 1993–95.

5. OSD should include capabilities and requirements analysis in the Contingency Plan Review process. This step is consistent with the precedent established in the OSD oversight of the SIOP. This kind of analysis is essential to any effort to tie true Respond capabilities to the program and budget efforts that are part of the Prepare strategy. Among the subjects or issues that might be analyzed are: (1) the ability to accomplish a range of possible objectives; (2) sensitivity analysis addressing different assumptions, e.g., warning time and deployment time, threat, readiness of units and materiel, etc.; (3) sensitivity to different levels of forces, e.g., what if some forces are already committed to an SSC; (4) adequacy of the counterproliferation and counterterrorism plans imbedded in each plan; (5) adequacy of logistic support provisions, including incorporation of External Support, and (6) availability of transportation, communications, and war reserve materiel.
6. OSD should identify and train personnel with Respond-related duties. All OSD personnel should be involved in preparing for exercises and/or involved in the exercise play and utilize exercises as a means to ensure management oversight of Respond-related functional duties. The training initiatives might include the following, for example:
 - The existing exercise program could be used more aggressively.
 - Procedural, e.g., mobilization exercises, could be converted to decision-making exercises.
 - Large-scale decision-making exercises that cover the entire Respond spectrum and involve key military and civilian leaders could be conducted.
 - Short, policy-oriented decision-making exercises might be conducted.
 - Functionally-oriented exercises, e.g., industrial mobilization, medical mobilization, etc., could be conducted.

In all of these efforts, steps should be taken to engage other DoD participants such as the Joint Staff, the CINCs, Services, and Combat Support Agencies as well as non-DoD participants, e.g., interagency participants such as the NSC and State Department. In addition, industrial producers and providers of External Support—airlines, package delivery services, etc.—should be included.

OSD might also consider developing new techniques for training such as interactive, distributed systems that would be suitable for conducting

distributed simulation exercises. OSD might train at ACOM training facilities that already have this capability. These systems might be designed to be suitable for planning, rehearsing, and executing as well as training. One such system, Synthetic Environments for National Security Estimates (SENSE), is currently under development at IDA.

7. OSD should work with the VCJCS to expand the focus of the Senior Readiness Oversight Council (SROC) across the entire Respond spectrum. The VCJCS, Services, CINCs, Defense Agencies should expand their reporting to cover the Respond spectrum. OSD members of the SROC should focus on readiness in their functional areas. In addition to receiving reports, the OSD principals should provide management oversight of, and report on readiness in, their functional areas, e.g., transportation, counterproliferation, base rights and access, logistics, Reserve mobilization, and industrial surge. The DUSD Readiness should serve as the "readiness coordinator" to keep track of overall readiness across the Respond spectrum and to ensure a dialog between the SROC members. The SROC should make recommendations to SECDEF regarding policy or program changes necessary to overcome readiness problems that are identified either by the reports of the Services, CINCs, or Defense Agencies or by the OSD SROC members. The DUSD (R) should also track efforts to correct identified readiness problems.

Although our focus in this study was on management of the Respond Strategy, we also looked at the management processes employed in the Shape and Prepare strategies. We discovered, as Figure VI-1 displays, that DoD has created three essentially parallel management systems. We believe that DoD management could be more efficient if the parallel nature of these three systems were recognized and efforts were made to exploit the potential for feedback and reinforcement that such parallelism provides.

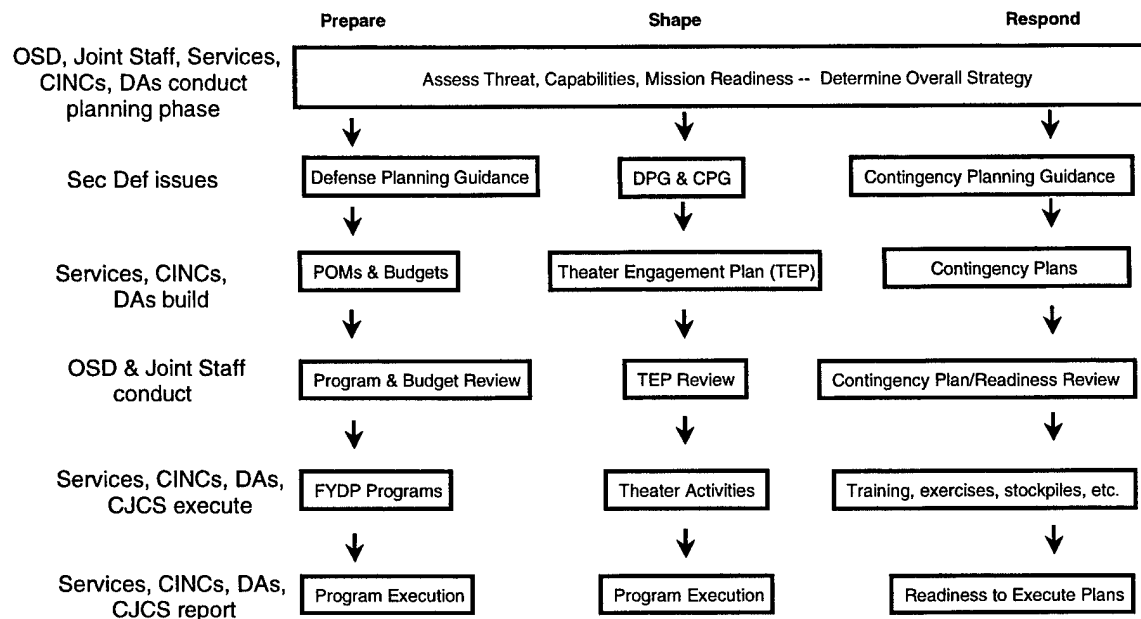


Figure VI-1. DoD Management Systems

Appendix A

EXERCISE POSITIVE FORCE 98

Exercise Positive Force 98 (PF98) was a government wide mobilization command post exercise (CPX) sponsored by the Chairman of the Joint Chiefs of Staff (CJCS). Conducted worldwide, the exercise centered on a classified scenario designed to assess current doctrine, policy, and procedures that govern mobilization and force deployment for large-scale military operations or major theater war. Thirty-four major organizations, including the Office of the Secretary of Defense (OSD), the Joint Staff (JS), six unified commands, all of the Services, and several Defense agencies and Federal departments and agencies, participated in the exercise.

OBJECTIVES

To assess overall mobilization efficiency, the principal focus of PF98 was to explore underlying capabilities to activate all or part of the Reserve components; to assemble and organize active duty personnel and materiel; and to surge or expand capabilities to equip, maintain, and sustain deployed forces. Key elements of force mobilization are logistic support; health services support; financial support; and command, control, communications, and computer (C4) support. Exercise PF98 assessed these elements in four contexts:

- *Strategic deployment and re-deployment under mobilization conditions.*
Strategic deployment involves the means by which forces are introduced into an overseas area and sustained in a crisis. It provides for the orderly transfer of personnel and equipment from garrisons and depots to the theater of operations in a predetermined sequence—the Time-Phased Force and Deployment Data (TPFDD)—developed and approved by the commander of the unified command. The TPFDD addresses such considerations as the port

of embarkation (POE), port of debarkation (POD), latest arrival date (LAD), and means of transport that would have a significant impact on transportation capabilities and resources and the effectiveness of interagency support for the use of civil assets.

- *Strategic direction and integration under mobilization conditions.* The functions associated with command, control, communications, and computer support inherent in all crisis and contingency response actions would be integral to the ability to accomplish almost all mission-essential tasks. The exercise tested the ability of the Joint Staff and the Office of the Secretary of Defense to manage the crisis action or response to a large-scale military operation or major theater war in a dynamic and strategic environment. PF98 focused on the Joint Staff's Crisis Action Planning (CAP) procedures, the Crisis Action Team (CAT) interface with the Office of the Secretary of Defense (OSD), and the unified commands' and Services'/agencies' operations centers and coordination with key Federal departments and agencies.
- *Strategic intelligence in support of mobilization.* The PF98 intelligence objectives focused on providing strategic intelligence to combatant commanders and planners for formulating national-level policy, strategy, and military plans and operations.
- *Interagency coordination of mobilization.* DoD's close coordination and collaboration with other Federal agencies is essential in meeting the Department's response mission for a large-scale military operation or major theater war. PF98 had an overarching objective of fostering better interagency relations. DoD will need responsive and continued support from civil Federal agencies to address resource issues relative to transportation, industrial respond, medical support, communications and energy, and DoD response duties such as noncombatant evacuation operations (NEO).

EXERCISE PF98 OBSERVATIONS

The PF98 observations (unclassified) listed below focus on the OSD role in the contingency response phase and crisis management of a large-scale military mobilization. They are perspectives on PF98 in view of the current national military strategy.

1. No single organization within DoD assumed primary responsibility for oversight of DoD response-related policy, programs, or required actions for major theater war. Current mobilization and resource guidance does not reflect current organizational structure or national military strategy and does not adequately define response-related responsibilities of the Office of the Secretary of Defense (OSD).
 - a) DoD 3020.36P, Master Mobilization Plan, was last updated in May 1988. Other DoD response-related documents for wartime resource programs and implementing guidance have not been updated—some have 1970s dates on their titles. Unlike DoD guidance for the low end of the conflict spectrum, which is up-to-date, the guidance for the high end of the response spectrum no longer reflects current organizational structure. The processes and mechanisms, if still valid, have fallen into disuse and do not reflect current military strategy. They need to be updated to redefine the DoD response mechanisms, to outline OSD staff roles and responsibilities, and to put into place plans, policies, procedures, and systems to implement a response to major theater war or mobilization process.
 - b) DoDD 5111.1 lists specific responsibilities for response planning and actions for the Under Secretary of Defense for Policy (USD (P)): development of policy; oversight of emergency planning and preparedness, crisis management, and defense mobilization; and support to civil authorities and continuity of operations. Within OSD only the USD (P) has specific Title 10 responsibilities for the review of contingency plans and contingency response planning. During Exercise PF98, OUSD (P) did not exercise any of its crisis management and emergency planning and preparedness oversight functions. There was no

evidence of response-related planning or preparedness programs or other preparations for major theater war or large-scale military operations.

- c) The Under Secretary of Defense for Acquisition and Technology (USD (A&T)) also has significant policy and program oversight and response-related responsibilities in support of a major theater war or mobilization. The USD (A&T) has oversight responsibilities for all matters relating to logistic support, including the war reserve program, materiel management and distribution, maintenance, and transportation. OUSD (A&T) is also responsible for industrial base capabilities to surge industrial production of ammunition, medical materiel, and other critical spare parts and troop support items; to equip and sustain deployed forces; and to allocate critical resources and materials based on priorities. In addition, OUSD (A&T) is responsible for all matters related to chemical and biological warfare and medical defense capabilities, the readiness and capability of installations and facilities to meet wartime needs, environmental concerns, and contingency procurements. Nevertheless, only one professional staff member participated in PF98, and a number of logistic support issues were unaddressed or inadequately coordinated by the USD (A&T) staff.
- d) DoD response policy, oversight, and resource allocation responsibilities, to the degree that they were recognized and accepted by OSD staff, were diffuse throughout the OSD organization. There was no evidence of an established process, policy, or procedure for prioritizing and/or allocating competing demands for resources. The Mobilization Steering Group, which had been chaired by the USD (P) and designated to coordinate the development of an OSD response to large-scale contingencies and a crisis management process, has been disestablished. Respond actions are now being handled by small task forces, e.g., the Bosnia task force. These task forces may be suited to and effective for small-scale contingencies at the low end of the response spectrum; however, they cannot handle the numerous and often complex issues and requirements of a major theater

war. Other committees and councils that could have addressed competing demands for critical resources or coordinated the Department's actions were not in evidence.

- e) In many areas of mobilization responsibility, the OSD staff was represented by Reserve component officers or was randomly involved or absent altogether. PF98 suffered from the insufficient and uncoordinated participation of professional OSD staff members who could have tasked agencies, communicated with leadership, coordinated with other Federal departments, and assessed the adequacy of response-related laws, policy, guidance, programs, and systems to meet the wartime responsibilities of the Department. Exercises offer an invaluable opportunity for OSD staff to learn about and to fulfill their oversight responsibilities.
 - f) DoDD 3020.36, Assignment of National Security Emergency Preparedness (NSEP) Responsibilities to DoD Components, assigns Respond-related functions and responsibilities within the OSD staff and delegates to the USD (P) the responsibility for integrating plans, policies, and programs regarding mobilization for major theater war. It also charges the USD (P) with preparing appropriate DoD documents to support national emergency plans. Last updated in 1988, the directive needs to be updated to reflect current organizational structure with OSD and other DoD components and to include Respond-related duties relevant to current national military strategy. Many programs, mechanisms, and processes that define organizational responsibilities and staff coordination have been disestablished or left unrevised despite changes in the organizational structure or national military strategy.
2. During the exercise, no OSD office or organization had the clear responsibility or authority to forward a fully staffed OSD recommendation to the Exercise Secretary of Defense and other senior officials.
- a) The Executive Support Center (ESC), under the Deputy Under Secretary of Defense (DUSD) for Policy Support, appeared to have an ill-defined

role, providing only a facilitating role for OSD staff operations in support of the PF98 exercise. The ESC had no tasking authority, and any entity willing to handle an action could do so. Support documentation such as the Crisis Action Plans (CAPs) were outdated and inconsistent with current military strategy. Updates that had been recommended as a result of Operation Desert Storm had not been incorporated.

- b) The Emergency Preparedness Planning (EPP) Office, also under the DUSD for Policy Support, did not take an active role in the exercise play. Reserve officers assigned to that office were primarily used as exercise controllers.
- c) Roles and responsibilities within OSD during a crisis were ill defined. There was neither an overall management structure to advise the SECDEF nor a process to coordinate mobilization actions among responsible DoD components and OSD offices.
- d) The Exercise Secretary of Defense received advice primarily from military sources. The OSD made no staff recommendations, but simply accepted the recommendations of the Joint Staff without staffing them or, in most cases, questioning them. Often the wrong office was assigned the tasking, and little or no effort was made to track the progress of each action or ensure that complete staff coordination had taken place. Fewer than a third of the actions received by the OSD staff during PF98 were acted on. Only a few resulted in completed actions.
- e) Critical deployment decisions were made without a full review of resource issues in such areas as medical and troop support items, transportation, and chemical and biological warfare. The ability to augment critical resource needs such as medical service, transportation, and communications will require close coordination with civil agencies and preparation during peacetime.

3. The points along the crisis spectrum at which various mobilization actions were required were ill defined. Decision makers lacked the process, mechanisms, systems, models, and staff support needed to identify and use available authorities or to request additional authorities and resources.
 - a) There is no office of primary responsibility for coordinating and requesting emergency authorities under a Presidential declaration of national emergency. Exercise PF98 provided no evidence that any OSD participating staff or office within OSD could provide the Secretary of Defense and senior decision makers with a complete understanding of the existing emergency authorities or key wartime resource programs that would be used to support a major theater war.
 - b) Appendix B summarizes many of the Respond-related laws and Executive Orders relating to the authorities of DoD and other supporting Federal agencies in responding to war, national emergency or contingency, or other circumstances that affect national security. The authorities reflect the need for peacetime crisis response preparation and a plan for transitioning to wartime needs and actions necessary to meet national security objectives. Many of the authorities would require actions from other civil agencies and extensive peacetime preparation. Many require presidential and/or congressional approval. It is unrealistic to assume that these requests for approval or the execution of the wartime actions and duties could be done on an ad hoc or piecemeal basis. Exercise PF98 showed no evidence of a process or guidance in place to determine what authorities were required or who would be responsible for implementing or coordinating the action.

There are no approved or institutionalized DoD-wide procedures or mechanisms for implementing a response to a major theater war or mobilization. As a result of Desert Shield and Desert Storm, a number of actions and system modeling efforts were initiated to address deficiencies in the response or mobilization process that surfaced in those operations. PF98 provided no evidence that OSD staff know enough about these

mechanisms to use them in crisis planning and the management and execution of the Respond phase of a large-scale conflict.

JOINT STAFF RECOMMENDATIONS FOR IMPROVING OSD RESPONSE CAPABILITIES

1. The responsibility for overall coordination of mobilization should be assigned within the DoD. An office of primary responsibility within OSD should be designated for coordination and forwarding to the Secretary of Defense a consolidated OSD staff position on mobilization-related actions in a crisis.
 - a) Responsibility for overall crisis coordination within the DoD should be identified.
 - b) An OSD clearing house should be established and a Chief of Staff designated and given full authority for coordinating and forwarding actions to the Secretary of Defense in a crisis.
 - c) Responsibilities for coordination between DoD and other Federal agencies in a crisis should be assigned.
2. The USD (P)—with the General Counsel, Joint Staff, the Military Services and other Federal Departments as required—should undertake a comprehensive review of all laws and executive orders and directives related to national emergencies and mobilization.
 - a) Develop standard crisis action packages (CAPs) for implementation in a national emergency or war.
 - b) The Joint Staff—in collaboration with OSD and the Services and in coordination with the National Security Council, the Department of Justice, and other Federal agencies as required—should develop a standard template for Executive Orders declaring a national emergency that is broad enough to preclude unnecessary limitations of resulting authorities in a crisis without abusing the intent of Congress.

- c) The Joint Staff and OSD should develop plans, policies, and procedures to ensure timely consideration of major mobilization decisions to support OPLAN requirements.
 - d) The Joint Staff and OSD should develop models to document the time by which specific mobilization decisions must be made and institutionalize procedures to update them as strategy, force structure, and OPLANS change.
3. The Secretary of Defense should designate an office responsible for coordinating requirements for emergency authorities in a crisis and for including them in any requests for a Presidential declaration of national emergency.
- a) The USD (P&R), in collaboration with the Joint Staff, should determine what mobilization-related information is routinely required by senior decision makers.
 - b) The OSD staff, in collaboration with the Joint Staff, should develop ways to report this information and develop mobilization reporting requirements.
 - c) The OSD staff should identify their specific mobilization-related information requirements to the Joint Staff
4. The Under Secretary of Defense (Policy) should conduct a comprehensive review and update of mobilization policy and guidance to include the following:
- a) Publish a successor document(s) to the DoD Master Mobilization Plan (or guidance) to redefine the roles and responsibilities of various organizations and agencies involved in mobilization planning.
 - b) Develop plans, policies, procedures, and systems to implement mobilization to include check lists, decision matrices, or triggers to ensure timely and thorough consideration of resources areas.
 - c) Mandate and conduct periodic reviews of mobilization plans, policy, procedural documents, mechanisms, and systems.
 - d) Establish a management structure and an office of primary responsibility to ensure accomplishment of the above.

5. The Office of the Secretary of Defense (OSD), in collaboration with the Joint Staff should:
 - a) Review its plans, policies, and procedures for the expansion of the industrial base.
 - b) Identify interagency coordination required for industrial base expansion.
 - c) Develop training requirements to exercise logistic concepts and procedures including interagency coordination with appropriate Federal departments and agencies.
 - d) Initiate a program to exercise and evaluate the evolving system for “just in time” procurement in a crisis.
6. The OSD staff and Joint Staff should identify ways to strengthen communication and dialog between DoD and other Federal departments and agencies. They also develop crisis information exchange requirements with other Federal departments and agencies.
7. The Deputy Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the heads of DoD components need to provide clear guidance to their staffs stressing the importance of full participation in the exercise.
8. The Director of Emergency Planning, ODUSD (Policy); and the Director of Operations, the Joint Staff, J-3; in coordination with the Services, CINCs, and the Defense agencies staff, should develop and implement a standardized tracking process and number system.
9. Review “critical” item management policies and procedures, including the Defense Priorities and Allocation System (DPAS), and develop an expeditious means of redirecting limited supplies and increasing replenishment.

Appendix B

LAWS, PRESIDENTIAL ORDERS, AND DIRECTIVES PERTINENT TO DOD'S RESPOND-RELATED DUTIES

This appendix summarizes key Federal laws and Presidential directives and orders relating to the Department of Defense duties and responsibilities in meeting the "Respond leg" of the National Security Strategy and National Military Strategy. It is not an authoritative or comprehensive statement of the laws or Presidential direction governing the preparation for war or national emergency or Respond actions in the event of either. Many more duties and responsibilities are codified in law, national security directives, executive orders, and Presidential decision directives that cover nearly every function within the Department and supporting civil agencies. Some are part of normal DoD or civil agency day-to-day activities, "normal course legislation," and some are to be acted on only in times of war or declared national emergencies. Although many of these laws derive from legislation enacted many years ago, they are in constant change and must be continually assessed and updated to maintain congruence with existing policy, programs, procedures, and systems.

DOD RESPOND-RELATED DUTIES AND RESPONSIBILITIES

Some laws and Presidential directives that direct other Federal agencies to develop policies, programs, and processes needed in times of a national emergency, war, or mobilization have a direct impact the DoD's ability to respond. To ensure effective support from these agencies will require continued interagency coordination in ongoing Respond-related efforts and support in the development of policy and programs to meet those responsibilities. DoD will also be called on to support civil agencies for domestic emergencies and to assist these agencies in their efforts to support U.S. interests abroad. The Secretary will need to prescribe necessary policy and procedures to ensure such support does not affect the military preparedness of the United States.

It is not sufficient to just be aware of these Respond-related duties and responsibilities and to keep them updated with the latest changes enacted by Congress or the President or to have them in an instantly accessible form. The Department must be

prepared to respond by practicing in peacetime what it must do in wartime. It is essential that the planners and decision-makers keep the Department in a “constant state of readiness.”

OSD management oversight of the policies, programs, systems, and processes is needed to ensure the ability of the OSD, Military Departments, and other DoD components to execute their Respond-related duties and responsibilities. The balance of this appendix present a more detailed descriptions of the laws, Presidential orders, and directives, as follows:

- Title 10 - Armed Forces

- Title 50 - War and National Defense

- Other Respond-related (U.S.C.) legislation

- Executive Orders and other Presidential directives

- Secretary of Defense Respond-related duties and responsibilities

- Office of the Secretary of Defense

- Chairman and Joint Chief of Staff

- Combatant Commanders

TITLE 10 - ARMED FORCES

10 U.S.C. 331 (Insurrection Act) – Use of militia and armed forces to enforce federal authority

10 U.S.C. 351 – Arming of American Vessels. During war or national emergency, the President, through any agency of the Department of Defense designated by him, may arm, have armed, or allow to be armed, any watercraft or aircraft that is capable of being used as a means of transportation on, over, or under water, and is documented, registered, or licensed under the laws of the United States

10 U.S.C. sections 371 through 382 – Military Support for Civilian Law Enforcement Agencies. The Secretary of Defense has a number of prescribed duties and responsibilities in support of civilian law enforcement agencies and to ensure that military preparedness is not degraded in support of these agencies. Some of the key responsibilities are listed below.

10 U.S.C. 371 – Use of Information collected during military operations. The Secretary of Defense may release information collected during the normal course of military training or operations that may be relevant to a violation of any Federal, State, or local law within the jurisdiction of such officials. The needs of civilian law enforcement officials for information shall, to the maximum extent practicable, be taken into account in the planning, and execution of military training or operations and promptly provided to appropriate law enforcement officials.

10 U.S.C. 372 (b) – Use of Military Equipment and Facilities. The Secretary of Defense may provide to a Federal, State, or local law enforcement or emergency response agency any materiel or expertise, for use in preparing for or responding to an emergency involving chemical and biological agents.

10 U.S.C. 374 – Maintenance and operation of equipment. The Secretary of Defense may in accordance with other applicable law, make Department of Defense personnel available for the maintenance and operation of equipment to Federal, State and local law enforcement officials.

10 U.S.C. 382 – Military Support to Civilian Law Enforcement Agencies Authorities. The Secretary of Defense, upon request of the Attorney General, may provide assistance relating to the enforcement of section 175 or 2332c of Title 18 USC during an emergency situation involving biological or chemical weapons of mass destruction.

10 U.S.C. 401 – Humanitarian and Civic Assistance provided in conjunction with military operations. The President may direct the Secretary of Defense to provide disaster assistance outside the United States to respond to manmade or natural disasters. Forms of assistance may include transportation, supplies, services and equipment and the construction and repair of roads, public facilities, sanitation facilities, well drilling and the detection and clearing of mines.

10 U.S.C. 402 and 404 – Transportation of humanitarian relief supplies to foreign countries and foreign disaster assistance. The President may direct the Secretary of Defense to transport supplies and provide disaster assistance outside the U.S. in the form of transportation, supplies, services and equipment.

10 U.S.C. 482 – Quarterly Readiness Reports. The Secretary of Defense is required to submit to Congress a report on military readiness. It is to be based on assessments provided by any council, committee, or other body of the Department of Defense that (a) has responsibility for readiness oversight and (b) includes at least one civilian officer in the OSD at the level of Assistant Secretary of Defense or higher; by Senior civilian and military officers of the military departments and commanders of the unified and specified commands; as part of any regular established process of periodic readiness reviews for the Department of Defense.

10 U.S.C. 506 – Regular components: Extension of enlistments during war. Regular enlistments in the Armed Forces may be extended for the duration until either 6 months after the war or termination by the President.

10 U.S.C 519 – Temporary enlistments. Temporary enlistments in the Armed Forces may be extended for the duration of the war plus 6 months unless terminated by the President.

10 U.S.C. 688 – Retired members. Service Secretaries can recall retired members of the regular Army, Regular Navy, Regular Air Force or Regular Marine Corps into active duty when considered necessary for the national defense.

10 U.S.C. 2218 – National Defense Sealift Fund. This fund provides for the construction, modification, or purchase of national defense sealift vessels. It also covers the operations and maintenance and installation of defense features of private vessels.

10 U.S.C. 2304(b) & (c) – Authority to exclude competition. Contracts to maintain or increase industry capabilities may be awarded without competition when in the interest of national security or under urgent and compelling reasons in support of national defense.

10 U.S.C. 2341 – Authority to acquire logistic support, supplies, and services for elements of the Armed Forces deployed outside the United States. The Secretary of Defense is authorized to acquire logistic support, supplies, and services from countries that either have a defense alliance, permit the stationing of troops or home porting of naval vessels, agree to preposition materiel, and or serve as a host country to exercises or other military operations.

10 U.S.C. 2342 – Cross-servicing agreements. The Secretary of Defense, after consultation with the Secretary of State, may enter into an agreement, with specified countries and subject to other laws, to provide logistic support, supplies, and services in return for reciprocal provisions of logistic support, supplies, and services by such government to elements of the U.S. Armed Forces.

10 U.S.C. 2390 – Prohibition on the sale of certain defense articles from the stocks of the DoD. The sale of prepositioned war reserves stocks or prepositioned materiel configured to Unit Sets is prohibited in time of war or mobilization. The President has the authority to sell items outside the U.S. if there is an international crisis and he determines it is in the best interest of the United States.

10 U.S.C. 2464 - Core logistics functions. The Secretary of Defense is required to identify those logistics activities that are necessary to maintain the logistics capability, to include personnel, equipment and facilities, to ensure a ready and controlled source of technical competence and resources to ensure effective and timely response to a mobilization, national defense contingency situation, or other emergency needs.

10 U.S.C. 2501 – National security objectives concerning the national technology and industrial base. This statute sets forth congressional defense policy concerning national technology and industrial base, reinvestment, and conversion to be capable of meeting the following national security objectives:

- Supplying and equipping the force structure necessary to meet the objectives set forth in the national security report submitted to Congress by the President pursuant to section 108 of the National Security Act of 1947 (50 U.S.C. 404) and the policy guidance pursuant to 10 U.S.C. 113g.
- Sustaining production, maintenance, repair, and logistics for military operations of various duration's and intensity.
- Reconstituting within a reasonable period the capability to develop and produce supplies and equipment, including technologically advanced systems, in sufficient quantities to prepare fully for war, national emergency, or

mobilization before the commencement of that war, national emergency, or mobilization.

10 U.S.C. 2534 – Miscellaneous limitations on the procurement of goods other than U.S. goods. Restricts DoD procurement of specified types of items to the U.S. to maintain industrial base responsiveness.

10 U.S.C. 2535 – Defense Industrial Reserve. Authority for government owned plant equipment and facilities for mobilization and other national security needs. Transferred from the Industrial Reserve Act, (50 U.S.C. 451).

10 U.S.C. 2538 – Industrial mobilization: orders, priorities, possession of manufacturing plants, violations. In time of war or when war is imminent the President, through the head of any department, may order from any person or organized manufacturing industry necessary products or materials of the types usually produced or capable of being produced by that company. The company must comply and give it precedence over all other orders. The President, through any department head, is authorized to seize noncompliant manufacturing plants.

10 U.S.C. 2539 – Industrial Mobilization: plants, lists. The Secretary of Defense may maintain a list of all privately owned plants in the U.S., Territories, Commonwealths, and Possessions that are capable of producing Armed Forces arms and ammunition.

10 U.S.C. 2539a – Industrial mobilization: Board on Mobilization of Industries essential for military preparedness. The President may appoint a nonpartisan Board on Mobilization of Industries Essential for Military Preparedness.

10 U.S.C. 2631a – Contingency planning: sealift and related intermodal transportation requirements. The Secretary of Defense is to ensure that contingency planning is required to take into consideration the full range of commercial capability for sealift, related intermodal, and related international transportation requirements.

10 U.S.C. 2632 (a) – Transportation to and from certain places of employment and on military installations. Whenever the Secretary concerned deems it necessary for the effective conduct of affairs of that Department, he may, at reasonable rates that are fixed under regulations prescribed by the Secretary of Defense, provide assured and adequate transportation by motor vehicle or water carrier to and from their places of employment for persons attached to, or employed in, that department and during war, or during a national emergency declared by Congress or the President, for persons attached to, or employed in, a private plant that is manufacturing materiel for that Department.

10 U.S.C. 2644 – Control of transportation systems in time of war. In time of war, the President, through the Secretary of Defense, may take possession and assume control of all or part of any system of transportation to transport troops, war materiel, and equipment or for other purposes related to an emergency.

10 U.S.C. 2663 (a), (b) – Acquisition of land. The Secretary of a Military Department may have proceedings brought in the name of the United States, in a court or proper jurisdiction, to acquire by condemnation for defense purposes any interest in land, including temporary use, needed for the site, construction, or operation of fortifications,

coast defenses, or military training camps. This authority also covers the construction and operation of plants or the development and transmission of power for the operation of those plants. In time of war or when war is imminent the United States may, immediately after filing of a petition of condemnation, take and use the land to the extent of the interest sought to be argued in a court of law

10 U.S.C. 2664 (a), (b), (d) – Acquisition of property for lumber production. The acquisition by condemnation of property for lumber production for the production of and procurement of supplies aircraft, vessels, dry docks, or equipment for them. Also housing for persons employed by the U.S. in connection with the functions of the military services.

10 U.S.C. 2672a – Acquisition: interests in land when the need is urgent. The acquisition of real property is authorized when considerations of urgency in the interest of national defense do not permit the delay necessary to include the required acquisition in the annual military construction authorization act.

10 U.S.C. 2803 and 10 U.S.C. 2804 - Emergency and Contingency construction. Emergency and contingency military construction projects do not require the President to declare a national emergency under these authorities. Emergency construction projects not currently authorized by law, but within the limits of these authorities, can be requested by the Combatant commands, if the Secretary determines that the project is vital to national security or the protection of health, safety, or the quality of the environment and is so urgent that the referral for inclusion into the Defense Authorization act would be inconsistent with the objectives above.

10 U.S.C. 2808 – Construction authority in the event of a declaration of war or national emergency. The Secretary of Defense, without regard to any other provision of the law, may undertake military construction projects, or authorize the Secretaries of the Military Departments to undertake construction projects that are necessary to support the Armed Forces.

10 U.S.C. 4776 and 10 U.S.C. 9776 - Emergency construction. In an emergency, if the President considers it urgent, a temporary fort, air base, or fortification may be built on private land if the owner consents in writing.

10 U.S.C. 6485 – Members of the Fleet Reserve and Fleet Marine Corps Reserve: authority to recall. Authority to recall members of the Fleet Reserve and Fleet Marine Corps without their consent in time of war or national emergency declared by Congress or in times of national emergency declared by the President.

10 U.S.C. 10102 – Purpose of Reserve components. Reserve components are to provide trained units and qualified persons available for active duty in the Armed Forces, in time of war or national emergency and at such times as the national security requires, to fill the needs of the armed forces whenever, during, and after the period needed to procure and train additional units and qualified personnel.

10 U.S.C. 10103 – Basic Policy for order into Federal service. Whenever Congress determines that more units and organizations are needed for the national security than are

in the regular components of the ground and air forces, the Army National Guard and the Air National Guard, or parts of them as needed, together with Reserve components shall be ordered to active duty.

10 U.S.C. 10149 – Ready Reserve: continuous screening. The Secretaries of the Military Departments shall provide a system of continuous screening of units and members of the Ready Reserve to ensure their ability to be mobilized.

10 U.S.C. 12003 – Strength limitations. These may be waived in time of war or national emergency.

10 U.S.C. 12207 – Mobilization forces: maintenance. Whenever units or members of the Reserve component are ordered to active duty (other than training) during a period of partial mobilization, the Secretary concerned shall continue to maintain mobilization forces by planning and budgeting for the continued organization and training of the Reserve components not mobilized.

10 U.S.C. 12208 – Annual mobilization exercise. The Secretary of Defense shall conduct at least one mobilization exercise each year. The exercise should be as comprehensive and as realistic as possible, including the sustainment and interaction of the units, and should include the participation of associated Active and Reserve component units.

10 U.S.C. 12103 – Reserve components: terms. In times of war or national emergency declared by Congress the term of service of an enlisted member transferred to a reserve component continues through the duration of the war plus 6 months.

10 U.S.C. 12301(a) – Reserve components generally. In time of war or national emergency declared by Congress, or when authorized by law, the Secretaries of the Military Departments are authorized to call up, without their consent, all existing Active and Reserve component forces for the duration plus 6 months. Guard units cannot be called up under this subsection without the approval of the Governor of the State.

10 U.S.C. 12302 – Ready Reserve. During Presidential declaration of national emergency or otherwise as provided by law, the Secretaries of the Military Departments are authorized to call up Ready Reserves for up to 2 years without their consent. Limited to a total of 1 million Ready Reserves with no mission limits.

10 U.S.C. 12304 – Selective Reserve: order to active duty other than during war or national emergency. Presidential Selected Reserve Call-up (PRSC) provides the ability to call up to a maximum of 200,000 selected reserves for a period of 270 days. Cannot be used for non-operational missions such as disasters, accidents, or catastrophes.

10 U.S.C. 18231 (3), 10 U.S.C. 18235 (b)(2) and 10 U.S.C. 18236 (d)(2) – Use of Reserve facilities in time of war or national emergency. Facilities for Reserve components may be used by other units of the Armed Forces.

10 U.S.C. 18501 – Reserve components: personnel and logistic support by Military Departments. The Secretaries of the Military Departments are responsible for providing

the personnel, equipment, facilities, and other general logistic support necessary to enable units and Reserves under their jurisdiction to satisfy training and mobilization readiness requirements.

TITLE 50 - WAR AND NATIONAL DEFENSE

50 U.S.C. 21 Alien Enemies. Whenever war is declared or any invasion or predatory incursion is perpetrated, attempted, or threatened against the United States by any foreign nation or government, the President may, by proclamation or other act, direct the conduct to be followed by the U.S. toward the citizens, natives, or subjects of the hostile nation with respect to their apprehension, restraint, security, or removal as alien enemies.

50 U.S.C. 82(b) - Arsenal, Armories, Arms and War Materiel. In time of war, the President is empowered to place an order with any person for such ships or war material as necessary. Compliance is obligatory and must take precedence over other orders. If refused, the President is authorized to take over the factory or any ports for the production of necessary items.

50 U.S.C. App 98 et seq - Strategic and Critical Materials Stockpiling Act. Materials that can be assembled to supply industrial needs may be stockpiled if import supply is reduced and production demand is increased in a time of emergency.

50 U.S.C. 191-198 - Emergency Foreign Vessels Acquisition Act - Vessels in Territorial Waters of the U.S. Whenever the President declares a national emergency or proclaims that the security of the national defense makes it advisable, the President, through the Secretary of Transportation, may make rules and regulations governing the anchorage and movement of any vessel in U.S. territorial waters. The Secretary may purchase, charter, or take over the title and possession of, for such use as he may direct, any merchant vessel not owned by U.S. citizens that is in waters under the jurisdiction of the U.S. and deemed necessary for national defense.

50 U.S.C. 401 - as amended National Security Act of 1947. Provides a comprehensive program for the future security of the United States.

- Establishes integrated policies and procedures for the departments, agencies, and functions of the Government relating to national security.
- Establishes the Department of Defense, including three military Departments of the Army, Navy, and Air Force under the direction, authority, and control of the Secretary of Defense (SECDEF).
- Calls for each Military Department to be separately organized under its own Secretary.
 - Requires each Department to function under the control and direction of the SECDEF.
 - Establishes unified and specified commands and a clear line of command from the SECDEF to such commands and to provide for the unified and strategic direction of the combatant forces.

- Provides for more effective, efficient, and economical administration in the Department of Defense.

50 U.S.C. 402 - National Security Council. The National Security Council (NSC) advises the President with respect to the integration of domestic, foreign, and military policies relating to national security and to enabling the Military Services and other departments and agencies of the Government to cooperate more effectively in matters of national security.

- Council is composed of the President, Vice President, Secretary of State, and the Secretary of Defense. Subject to the direction of the President, the following attend and participate in meetings of the National Security Council:
 - Director of Central Intelligence, or the Deputy Director in his absence, in performance of the Director's duties under the National Security Act
 - Chairman Chief of Joint Chiefs of Staff, or the Vice Chairman in his absence, as principal military adviser to the NSC
 - The Director of National Drug Control Policy as principal advisor to the NSC on national drug control policy
 - Other Secretaries and Under Secretaries of executive departments and the Military Departments when appointed by the President by and with the consent of the Senate, to serve at the Presidents' pleasure
- The Secretary of Defense serves on two committees within the NSC:
 - Committee on Foreign Intelligence - Duties are to establish policy relating to the conduct of intelligence activities including appropriate roles and missions of the intelligence community.
 - Committee on Transnational Threats - Purpose is to identify transnational threats and to develop strategies to enable the U.S. government to respond to them. Also monitors implementation of responses and make recommendations on the appropriate response to a specific transnational threat.
- The NSC also has a Board for "Low Intensity Conflict" to coordinate the policies of the U.S. for low intensity conflict.

50 U.S.C. 403-5 - Responsibilities of Secretary of Defense pertaining to National Foreign Intelligence Program. Requires the Secretary of Defense to ensure that the tactical intelligence activities of the DoD are complementary and compatible under the Foreign Intelligence Program. Also, that the intelligence community within the DoD responds in a timely manner to satisfying operational needs. Assigns duties and responsibilities for the NSA, DIA, NIMA, and the National Reconnaissance Office (NRO) in support of the U.S. intelligence community.

50 U.S.C. 403-5a - Assistance to U.S. Law Enforcement Agencies. Foreign intelligence may be collected in support of U.S. law enforcement agencies.

50 U.S.C. 404 - Emergency Preparedness. The Director of the Federal Emergency Management Agency (FEMA) advises the President concerning the coordination of military, industrial, and civilian mobilization including:

- Policies concerning industrial and civilian mobilization in order to ensure the most effective mobilization and maximum utilization of the nation's manpower in the event of war.
- Programs for the effective use in times of war of the Nation's natural and industrial resources for military and civilian needs, for the maintenance and stabilization of the civilian economy in time of war, and for the adjustment of such economy to war needs and conditions.
- Policies for unifying, in time of war, activities of the Federal agencies and departments engaged in or concerned with production, procurement, distribution, or transportation of military supplies, materials, and products.
- Relationship between potential supplies of, and potential requirements for, manpower, resources, and productive facilities in time of war.
- Policies for establishing adequate reserves of strategic and critical material, and for the conservation of these resources.
- Strategic relocation of industries, services, and government and economic activities for the continuous operation essential to national security.

50 U.S.C. section 451 - Defense Industrial Reserve Act. Repealed and transferred to section 2535 of Title 10, Armed Forces. Ordinary course legislation that authorizes the retention of government-owned manufacturing equipment and facilities for mobilization.

50 U.S.C. 468 et seq. - Selective Service Act.

- Limited Selective Reserve Call-up: Allows the call-up of up to 100,000 reservists for 90 days without a declaration of a national emergency
- Stop-loss Authority:
 - Cannot be effected without a Presidential declaration of national emergency - applies only to regular officers and regular and reserve warrant officers.
 - Requires a congressional declaration of emergency to stop the loss of Reserve component enlisted personnel.
 - A state-of-war must be declared to stop losses of regular enlisted personnel.
 - Recall of retirees: All Service Secretaries have the right to recall military retirees without a declared emergency. Some exemptions:
 - * Congressional-declared emergency for retired reservist
 - * Members of the Fleet Reserve or Fleet Marine Corps Reserves

- 50 U.S.C. App 468 Utilization of industry provision - Provides for non-emergency Presidential authority when in the interest of national security to obtain prompt delivery of any articles authorized by the Congress for use of the armed forces of the United States. Authority to force US industry to prioritize the production of defense goods and to requisition non-complying facilities - Authority was used in Operation Desert Shield/Storm to prioritize the production and delivery of materiel

50 U.S.C. 1431 et seq. - The National Defense Commerce Act, PL 85-804. In the event of a national emergency, the President may authorize any Department or agency in the Government that exercises functions connected with national defense to enter into contracts or into amendments or modifications of contracts whenever he deems that such action would facilitate national defense. There are monetary thresholds and Congress must be notified for contracts in excess of \$25 million.

50 U.S.C. 1541 - War Powers Resolution. Limitation of the President's executive power as Commander-in-Chief to deploy U.S. Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances. Requires the President in every possible instance to consult with Congress before introducing U.S. Armed Forces. Requires a written report describing circumstances necessitating such action in the absence of a Declaration of War.

50 U.S.C. 1601 et seq. - National Emergencies Act. Terminates existing declared emergencies and requires the President, after declaring a national emergency authorizing the exercise of special or extraordinary powers, to immediately transmit the decision to the Congress and publish it in the Federal Register.

- Enacted in 1976 as a result of increasing concerns by the Public and Congress that the President had powers to commit the U.S. to warfare without adequate respect to the Constitution. Revoked most executive powers that were premised on existing states of emergency and returned them to a dormant state.
- 50 U.S.C. 1641- When the President declares a national emergency, or Congress declares war, the President shall be responsible for maintaining a file or index of all significant orders of the President, including Executive Orders and proclamations. Each Executive agency shall maintain a file and index of all rules and regulations issued during such an emergency or war issued pursuant to such declarations.
 - Distinguishes a Presidentially-declared emergency, a congressionally-declared emergency, and a state-of-war.
 - A Presidentially-declared emergency can extend enlistment of commissioned officers on active duty for the duration of the emergency and call up 1 million reservists for up to 2 years.

- A Congressionally-declared national emergency provides further powers such as the right to order the full Reserve component to active duty for the duration plus 6 months.
- State of War, reached either by congressional declaration or an attack on the U.S., provides the President with powers such as the right to take possession of transportation and production facilities and to extend the active force for the duration plus 6 months.

50 U.S.C. 1701 - International Emergency Economic Powers. Used to deal with any unusual or extraordinary threat originating wholly or largely outside the United States against the national security, foreign policy, or economy of the U.S. if the President declares a national emergency to that threat.

50 U.S.C. 1735 - Merchant Ship Sales Act of 1946. Reaffirms the need for a well-equipped merchant marine for national defense and directs the development and maintenance of a responsive merchant marine capability.

50 U.S.C. 1744 - National Defense Reserve Fleet. Authorizes the Secretary of Transportation to maintain a National Defense Reserve Fleet and can be used to test readiness and mission suitability, to perform sealift, and to support the deployment of U.S. Armed Forces in a military contingency or for civil contingency operations. Requires the Secretary of Transportation to ensure the readiness of vessels in the National Defense Ready Reserve Fleet.

50 U.S.C. 2061 et seq. - Defense Production Act

- The most important legislative authority affecting DoD's ability to secure the material, services, and access to civil transportation assets needed for war. Titles I, III, and VII are available for every day use as well as emergency situations.
- Title I, Defense Priorities and Allocations - Is routinely used in peacetime procurements. Title I establishes the Defense Priorities and Allocation System (DPAS) and provides the authority to place defense production requirements ahead of civilian requirements.
- Title III - Authorizes loan guarantees to expedite production, deliveries, or services; Federal loans to expand capacity; federal purchases and/or installation of government-owned equipment.
- Title VII - Grants an antitrust defense to private cooperative efforts undertaken at the request of the President. Establishes the basis of the CRAF and VISA and the National Executive Reserve, which allows the employment of persons of outstanding experience and ability as advisors without compensation.

50 U.S.C. 2401 - Export Regulation. Provides for the administration controls to support arms controls, enhancing the import of scarce material and nonproliferation actions.

OTHER RESPOND-RELATED LEGISLATION

14 U.S.C. 3, Coast Guard. Upon the declaration of war or when the President directs, the Coast Guard shall operate as a service in the Navy, subject to the orders of the Secretary of the Navy, and shall continue as such until transferred back to the Department of Transportation by Executive Order.

14 U.S.C. 722 - During a war in which the U.S. is not engaged the president may (1) prohibit the importation of articles from a country that has prohibited the importation of similar or other American articles and (2) order the seizure of any American or foreign vessel that, because of the laws or regulations of a belligerent nation, unduly discriminates against American interest. The President may use part of the land and naval forces as necessary to carry out the above actions.

16 U.S.C. 809 - When the President considers and issues a written order to the licensee that the safety of the U.S. demands it, the United States may take possession of any project licensed by the Federal Energy Regulatory Commission to manufacture nitrates, explosives, or munitions of war and may retain possession, management, and control thereof for as long as the President considers necessary

16 U.S.C. 824(a), (c), (d) - In time of war or emergency requiring immediate action, the Federal Energy Regulatory Commission may require certain temporary connection, or construction, of facilities for the transmission of electric energy to prevent shortages.

16 U.S.C. 831n-4 and 831s - Tennessee Valley Authority (TVA) power may be transmitted to the Department of Energy or the Department of Defense or any agency on certification by the President that an emergency defense need for such power exists. In times of war or of national emergency declared by Congress, the U.S. may take possession of any property of the TVA for the purpose of manufacturing explosives or for other war purposes.

19 U.S.C. 1318 - Upon declaring an emergency by reason of war or otherwise, the President may extend the time performance of certain acts under the Tariff Act of 1930 and permit free importation of food, clothing, and medical supplies for use in emergency relief work.

22 U.S.C. 1961-1965 - This statute addresses military assistance programs and use of the armed forces for protection in the Middle East.

22 U.S.C. 2377 - The President should use all means, including covert action and military force, to disrupt, dismantle, and destroy international infrastructure used by international terrorists, including overseas terrorist training facilities and safe havens.

22 U.S.C. 3618 - In the event of an armed attack on the Panama Canal, or when, in the opinion of the President, conditions exist which threaten the security of the Canal, the Administrator of the commission will comply with directives from the military commander in charge of the defense of the Canal.

22 U.S.C. 4802(b) - Overseas evacuations. The Secretary of State shall develop and implement policies and programs to provide for the safe and efficient evacuation of

United States, including a model contingency plan for the evacuation of personnel, the assessment of transportation and communications needs, and the determination of logistic support needs.

31 U.S.C. 3727(d) and 41 U.S.C. 15 - Public contracts. In time of war or national emergency proclaimed by the President or a joint resolution by Congress and until the war is terminated, a DoD contract may be provided or amended without additional consideration.

33 U.S.C. 102, National Guard. Basic policy for ordering of the National Guard into Federal service.

33 U.S.C. 104(b), (e) Organization and composition of the Army and Air National Guard in times of war or other emergency.

32 U.S.C. 703(b). In times of war or threatened war, the U.S. may requisition for military use any supplies or military publications bought from the Departments of the Army and Air Force by any State or Territory.

33 U.S.C. 854-858, NOAA. The president may, upon finding that a sufficient national emergency exists, transfer to the Military Department for the duration of the emergency real property, personal property, and personnel from the National Oceanic and Atmospheric Administration.

37 U.S.C. – This statute governs pay and allowances during war, national emergency or hostilities in which the U.S. is engaged.

38 U.S.C. 8111A. – During and immediately following a war or national emergency declared by Congress that involves the use of Armed Forces in armed conflict, the Veterans Administration may furnish hospital care, nursing home care, and medical services to members of the Armed Forces on active duty.

40 U.S.C. 276a-5, 40 U.S.C. 331 – These statutes address suspension of laws relating to wages of laborers and mechanics and exceptions to the Contract Work Hours Standards Act in times of national emergency or when necessary to avoid serious impairment of the conduct of Government business.

41 U.S.C. 11 – The Food and Forage Act. This statute gives authority for emergency expenditures that are not otherwise authorized and not appropriated. Includes clothing, subsistence, fuel, quarters, transportation (including repair, maintenance, rework, modification, etc., of vehicles, aircraft and ships), medical and hospital supplies. Does not include military pay or the procurement of ammunition and weapons.

42 U.S.C. 217 – Public Health Service. In time of war or of Presidentially-proclaimed emergency, the President may use the Public Health Service in a manner deemed to promote the public interest and order the commissioned corps of the Service to be part of a military service.

42 U.S.C. 2121(c) and 2164 (b), (c) - Whenever the President determines that it will promote and will not constitute an unreasonable risk to the common defense and security, he may authorize the Departments of Energy and Defense to cooperate with another

nation and to transfer by sale, lease, or loan certain categories of materials for military applications and to communicate and exchange restricted information.

42 U.S.C. 5195 - Stafford Act - PL 93-288 (as amended). The Stafford Act provides the authority for the Federal government to respond to disasters and emergencies in order to provide assistance to save lives and protect public health, safety, and property.

- FEMA developed a Federal Response Plan to describe how the Federal government will mobilize resources under the authority of the Stafford Act.
- The Plan outlines 12 emergency support functions (ESFs) and is to be headed by a primary Federal department or agency.
- DoD is designated to support all ESPs and is the primary agency for Public Works & Engineering.
- DoD will support Transportation, Communication, Fire Fighting, Information and Planning, Mass Care, Urban Search & Rescue Resource Support, Health & Medical Services, Hazardous Materials, Food and Energy.

46 U.S.C. App. prec. section 1 note. Upon request of the Secretary of Defense to the extent deemed necessary in the interest of national defense by the Secretary, compliance with navigation and vessel inspection laws may be waived.

46 U.S.C. 835 - In time of war or of Presidential-declared national emergency, it is unlawful, without the consent of the Secretary of Transportation, to transfer American ships to foreign registry, or to sell constructed vessels, shipyard, dry dock, or ship-repairing plant or facilities or any interest therein to noncitizens.

46 U.S.C. 861 - It is necessary for the national defense and for proper growth of its foreign and domestic commerce that the U.S. shall have a merchant marine of the best equipped and most suitable vessels sufficient to carry the greater portion of its commerce and serve as a naval auxiliary in time of war or national emergency.

46 App. U.S.C. 1187 - Maritime Security Fleet Program authorizes the Secretary of Transportation to establish a fleet of active, militarily useful, privately owned vessels to meet national security defense and other security requirements.

46 U.S.C. 1242(a) - Whenever the President proclaims that the security of the national defense makes it advisable or proclaims a national emergency, the Secretary of Transportation may purchase or requisition any vessel owned by citizens of the U.S., or may charter or requisition the use of such property.

46 app. U.S.C. 1248 - Enrollment in the Sealift Readiness Program. Use of construction and operating differential subsidies approval by the Secretary of Defense.

47 U.S.C. 308 - Waiver of formal application requirements for station construction or license permits when necessary for the national defense in time of war or declared by the President or Congress.

47 U.S.C. 606 - Communications Act OF 1934. War powers of the President for communications. When deemed necessary for national defense and security in times of

war, communications essential to the national defense and security have preference and priority with any carrier subject to the FCC. The President may also suspend or amend rules and regulations, close facilities, and authorize the use and control of any facility or station by any department of the Government.

During any war in which the U.S. is engaged, the President may:

- Order any carrier to give preference or priority for national defense communications.
- Employ armed forces to prevent the retardation or obstruction of interstate or foreign communications.

Upon proclamation that war or threat of war exists, the President may:

- Amend or suspend rules and regulations pertaining to any station capable of emitting electromagnetic radiation.
- Close and remove any emitting device that may serve as a navigational device.
- Amend rules pertaining to telecommunications.
- Order the closure or government use of wire facilities.

Responsibility and duties of the President include:

- Policy direction of the development and operation of the National Communications System (NCS). The SECDEF is the NCS executive agent.
- Coordination of policy, plans, and programs for the mobilization and use of the Nation's telecommunications resources in an emergency.

49 U.S.C. 11124 - The Surface Transportation Board (STB), previously known as the Interstate Commerce Commission (ICC), when notified by the President during time of war or threatened war that it is essential to the defense and security of the U.S., is to give preference and priority to the transportation of troops and materiel over all other traffic. All rail carriers providing transportation under the jurisdiction of the STB shall adopt every means within their control to facilitate and expedite the military traffic.

49 U.S.C. 13101- The U.S. transportation policy is to ensure the development, coordination, and preservation of a transportation system that meets the transportation needs of the U.S. including the national defense

49 U.S.C. 40101 - The Secretary of Transportation, in exercising his authority and discharging his duties under the Federal Aviation Act of 1958, must consider the requirements of national defense.

49 U.S.C. 40106 - When essential because of military emergency or urgent military necessity determine by appropriate military authority, and after notifying the Administrator of the FAA, military authority may authorize deviation of military aircraft from air traffic regulations issued by the FAA.

49 U.S.C. 44501, 44505 - The Administrator of the FAA is required to make long range plans for, and formulate policy with respect to navigable airspace that will best meet the

needs of civil aeronautic and national defense. Also, to develop, modify, test and evaluate and select systems, procedures, facilities, and devices to meet the needs for safe and efficient navigation and traffic control of all civilian and specified military aircraft

National Defense Authorization Act for FY 1996 Section 1053 (Kyl Amendment)

- Requires the review of national policy on protecting the national infrastructure against strategic attacks.
- Requires a description of the national policy and architecture governing the plans for establishing procedures, capabilities, systems, and processes necessary to perform indications, warning, and assessment functions regarding strategic attacks by foreign nations, groups, or individuals or any other entity against the national information infrastructure.
- Assesses the future of the National Communications System (NCS), which has performed a central role in ensuring national security and emergency preparedness communications for essential Government and private sector uses including:
 - Federal interest in the expansion and modernization of the NCS
 - Best use of the NCS as an integral part of a larger national strategy to protect the U.S. against attack on the national information infrastructure.

44 CFR Part 334 Federal Emergency Management Agency

- Establishes a Graduated Mobilization Response (GMR) System for developing and implementing mobilization actions that are responsive to a wide range of national security threats and ambiguous or specific warning indicators.
- Responds to Executive Order 12656 of 18 November 1988, Assignment of Emergency Preparedness Responsibilities
- Directs FEMA to coordinate the implementation of policies and programs for efficient mobilization
 - Requires GMR to be incorporated in the emergency preparedness plans and programs of each Department and Agency
 - Requires a DoD assessment of potential military demands that would be made on the economy

Military Construction Codification Act (PL 97-214) - Permits the reallocation of construction funds in the event of a Presidential declaration of a national emergency

EXECUTIVE ORDERS AND OTHER PRESIDENTIAL DIRECTIVES

An Executive Order is a written document titled and issued by the President:

- It is considered an action or a directive by the President.

- It has the *force and effect of law* if founded on the authority of the President derived from the Constitution or a Federal Statute.
- It may be repealed or modified by the President, an Act of Congress, or a decision of the Judiciary.
- It can become obsolete by passage of time when bearing an expiration date or when the purpose for which it was issued no longer exists.
- Otherwise, *a written Presidential document once issued remains in effect until repealed or modified or expires.*

Executive Order 12333, United States Intelligence Activities

Provides policy and objectives and assigns duties and responsibilities with respect to the national intelligence effort.

- Provides the President and NSC with the necessary information on which to base decisions concerning the conduct and development of foreign, defense, and economic policy and the protection of U.S. national interest from foreign security threats.
- Assigns responsibilities to the National Security Agency (NSA) and the Defense Intelligence Agency (DIA).
- Designates DoD the executive agent and NSA the action agent of the U.S. Government for:
 - Signals intelligence and communications security activities (NSA).
 - Communications security of the U.S. Government (NSA).
 - Collection, production, and dissemination of military and military-related foreign intelligence and counterintelligence as required for the execution of the SECDEF responsibilities.
 - Programs and missions necessary to fulfill national, departmental, and tactical foreign intelligence requirements. DIA is responsible for the coordination of all DoD data collection requirements.

Executive Order 12472, Assignment of National Security and Emergency Preparedness Telecommunications Functions

Provides for the consolidation of assignment and responsibility for improved execution of national security and emergency preparedness telecommunications functions.

- Establishes the National Communications System (NCS) consisting of the telecommunications assets of the Federal departments, agencies, and entities designated by the President that lease or own telecommunication facilities of significance to national security or emergency preparedness (NS/EP).
- Assigns wartime and non-wartime emergency functions

- Responsibilities of the Secretary of Defense:
 - Serves as the Executive Agent of the NCS.
 - Plans, operates, and maintains telecommunications services for the National Command Authorities (NCA).
 - Ensures NSA plans for security and protection of the NS/EP telecommunications.

**Executive Order 12656, Assignment of Emergency Preparedness Responsibilities,
18 November 1988**

Assigns national security emergency preparedness (NSEP) responsibilities to Federal Departments and Agencies. Policy is to have sufficient capabilities at all levels of the government to meet essential defense and civilian needs during any national security emergency from natural disasters to protracted nuclear war.

- Identification of functions that would have to be performed in response to a national security emergency.
- Development of plans for performing the functions.
- Development of a capability to execute those plans.
- Design of preparedness measures to permit a rapid and effective transition from routine to emergency operations, including a system of emergency actions that defines alternatives, processes and issues to be considered during various stages of national emergencies.

**Executive Order 12742, National Security Industrial Responsiveness, 10 January
1991**

Delegates authorities for placing of orders for prompt delivery of articles or materials within the Federal Departments and agencies. Policy is that the U.S. must have the capability to rapidly mobilize its resources in the interest of national security.

- Authorities are delegated as follows:
 - Secretary of Agriculture with respect to food resources.
 - Secretary of Energy with respect to all forms of energy
 - Secretary of Transportation with respect to all forms of civil transportation.
 - Secretary of Commerce with respect to all other articles and materials.
- The delegated authorities can be exercised only after the DoD has determined that prompt delivery of articles or materials for the exclusive use of the U.S. Armed Forces is in the interest of national security.

Executive Order 12919, National Defense Industrial Resources Preparedness, 3 June 1994

Delegates authorities and addresses national defense industrial resource policies and programs under the Defense Production Act. Policy is to have an industrial and technology base capable of meeting national defense requirement and capable of contributing to the technological superiority of its defense materiel in peacetime, crisis, and war

- Requires DoD and other Federal Departments and Agencies to:
 - Identify requirements for the full spectrum of national security emergencies, - military, industrial, and essential civilian demand
 - Continually assess the capability of the domestic industrial base and technological base to satisfy requirements in peacetime and national emergency.
 - Be prepared, in the event of a potential threat to the security of the United States, to take actions necessary to ensure the availability of adequate industrial resources. Improve the efficiency and responsiveness of the domestic industrial base to meet DoD needs.

Executive Order 13010, Critical Infrastructure Protection

Certain critical infrastructures are so vital that their incapacity or destruction would have a debilitating impact on the defense or economic security of the U.S. There are two categories of threats: (1) physical threats to tangible property and (2) electronic, radio frequency, and computer based attacks on the information systems or communications that control critical infrastructure functions.

Establishes a President's Commission on Critical Infrastructure Protection to do the following:

- Assess the scope and nature of vulnerabilities
- Determine legal and policy issues and propose any legislative or regulatory changes that may be necessary
- Recommend a comprehensive national policy and strategy for protecting critical infrastructure from physical and cyber attacks

Establishes an Infrastructure Protection Task Force (IPTF) within the Department of Justice (chaired by the FBI) to coordinate existing expertise, inside and outside the Federal government, to detect, prevent, halt, or confine an attack and to recover and restore service. Also, to issue threat and warning notices, provide training and education on how to reduce vulnerabilities, and conduct after-action analysis to determine possible future threats, targets, or methods of attacks.

National Security Decision Directives (NSDD)

NSDD – 28, National Security Sealift Policy, 5 October 1989

The U.S. national sealift objective is to ensure that sufficient military and civil maritime resources will be available to meet defense deployment and essential economic requirements in support of our national security strategy.

U.S.-owned commercial ocean carrier industry, to the extent capable, will be relied on to provide sealift in peace, crisis, and war. In peacetime DoD will operate the minimum number of sealift ships, including reserve ships to meet JCS exercise requirements and shipping that cannot be accommodated by U.S. flag commercial ocean carriers.

Sufficient U.S.-owned sealift assets must be available to meet requirements to respond unilaterally to security threats in geographic areas not covered by alliance agreements.

The Departments of Defense and State should determine the extent to which agreements with other maritime nations should be negotiated to provide additional sealift. The Department of Transportation (DoT) is responsible for appropriate legal and procedural mechanisms to ensure U.S. control.

The DoD will determine the requirements for sealift of deploying forces, follow-on supply and sustainment, shipbuilding, and repair. The DoT, in coordination with the DoD, will determine the capacity of U.S. merchant industries to meet those requirements and to provide sealift necessary to support essential industrial activity during wartime.

NSDD - 280 National Airlift Policy, 24 June 1987

The U.S. national defense airlift objective is to ensure that the military and civil airlift resources will be able to meet defense mobilization and deployment requirements in support of U.S. defense and foreign policies.

U.S. policies shall be designed to strengthen and improve the organic airlift capability of the DoD and, where appropriate, to enhance the mobilization base of the U.S. commercial air carrier industry.

The U.S. government is to maintain in peacetime organic airlift resources that are manned, equipped, trained, and operated to ensure the capability to meet approved requirements for military airlift in wartime, contingencies, and emergencies.

The DoD shall determine which airlift requirements must be moved in military airlift manned and operated by military crews.

The commercial industry will be relied upon to provide the airlift capability required beyond that available in the organic military airlift fleet. U.S. aviation policy, both international and domestic, shall be designed to strengthen the nation's airlift capability.

The Departments of Transportation and Defense shall jointly develop policies and programs to increase participation in the CRAF and the incorporation of national defense features in civil aircraft.

NSDD-47 Emergency Mobilization Preparedness, 22 July 1982

Lays out the most detailed and comprehensive plan for government mobilization during a nuclear war, civil disturbance, or natural disaster ever adopted in the United States.

- Assigns new emergency and civil defense tasks to government agencies from DoD to the Post Office.
- Is designed primarily to implement civil preparation for protracted nuclear war; however, it also addresses natural disasters.
- Establishes an Emergency Mobilization Preparedness Board and lays out 12 specific preparedness areas in which programs should be developed. Also directs the Board to develop a Plan of Action.
- Calls for coordinated initiatives in areas of emergency legislation, military and industrial mobilization, finance, human resources, communications, government operations, food and agriculture, earthquakes, civil defense, health and social services

NSDD-188, Reorganization of Emergency Preparedness Functions, 16 September 1985

Significantly reduces the Federal Emergency Management Agency (FEMA) concentrated authority over sensitive emergency management functions after a series of scandals and controversies involving FEMA. Maintains NSDD 47 goals and objectives:

- Establishes the Senior Interagency Group for National Security Emergency Preparedness (SIG-NSEP) with authority concentrated with the NSC, DOD, DoJ, the Treasury, and OMB. The SIG-NSEP was to oversee the implementation of goals and principles of NSDD-47.
- Tightens control over "emergency" programs, particularly the continuity of government preparations for emergency rule during war or civil emergencies.
- Is regarded as the authorization for "Graduated Mobilization Response" (GMR).

Presidential Decision Directives (PDD)

PDD-39 Combating Terrorism, June 1995

- Provides national policy and three-pronged strategy to deter, defeat, and respond to terrorist attacks.
- Directs agencies to take specific actions and requires each agency to fund their participation
 - Reduce vulnerabilities and prevent and deter terrorist attacks before they occurs

- Respond to terrorist acts that do occur, including managing crisis and the apprehending and punishing terrorist
- Manage the consequence of terrorist attacks, especially those involving the use of WMD
- Includes an interagency coordination mechanism and management structure to combat terrorism.
- Directs the Attorney General to identify and review the vulnerability to terrorist attacks of critical national infrastructure (resulted in E.O. 13010 - Critical Infrastructure Protection).

PDD-56, Peacekeeping and Complex Contingencies, May 1997

Applies to non-conflict situations and assumes operations will be conducted in a coalition whenever possible, but may also apply to a unilateral response.

- Does not apply to domestic disaster relief or to routine small-scale operations.
- Does not apply to military operations conducted in the defense of U.S. citizens or property including counterterrorism, hostage rescue operations, and international armed conflict.

Requires a multidimensional operational approach to include political, diplomatic, humanitarian, intelligence, economic development, security, and political consequences of a technological crisis where chemical, biological, and/or radiological incident has occurred.

Requires development of a political-military implementation plan.

Requires civilian and military agency integration of planning and operations in a synchronized manner and establishes interagency wargaming/exercises and review of the political-military plan.

Requires agencies to institutionalize lessons learned and to review legislative and budget authorities, personnel system, training, and crisis management procedures.

PDD-62, Combating Terrorism, May 1998

Establishes the Office of the National Coordinator for Security, Infrastructure Protection, and Counterterrorism. The National Coordinator's office is:

- Responsible for the oversight of a variety of relevant policies and programs including counterterrorism, protection of critical infrastructure, preparedness, and consequence management for weapons of mass destruction.
- Within the NSC, reporting to the President through the Assistant to the President for National Security Affairs.
- Required to produce an annual Security Preparedness Report for the President.

- Changed to provide advice regarding agency budgets for counterterrorism programs and to lead the development of guidelines for crisis management.
- Intended to create a more systematic approach to fighting terrorism.
- A key reinforcement to many U.S. agencies charged with defeating terrorism. It also codifies and clarifies their activities in a wide range of U.S. counterterrorism programs, from apprehension and prosecution of terrorists to increasing transportation security, enhancing response capabilities and protecting the computer-based systems that lie at the heart of America's economy and national security.

PDD-63, Protecting America's Critical Infrastructures, May 1998

The policy of the United States is to ensure the continuity and viability of critical infrastructure and to take all necessary measures to quickly eliminate any significant vulnerability to physical and cyber attacks on critical infrastructure.

National goal is to have and maintain the capability within 5 years to protect critical infrastructure from intentional attacks that would significantly diminish the ability of:

- The Federal Government to perform essential national security missions and ensure the public health and safety.
- State and local governments to maintain order and deliver essential services.

The private sector is to ensure the orderly functioning of the economy and the delivery of essential telecommunications, energy, and financial and transportation services.

A public-private partnership is to reduce vulnerability and produce a sectoral National Infrastructure Assurance Plan by:

- Assessing vulnerabilities of the sector to physical and cyber attacks.
- Recommending ways to reduce vulnerabilities.
- Proposing a system for identifying and preventing attempted attacks.
- Developing a plan for alerting, containing, and rebuffing an attack in progress and reconstituting minimum essential capabilities in the aftermath of an attack.

SECRETARY OF DEFENSE - RESPOND-RELATED DUTIES AND RESPONSIBILITIES (10 USC 113)

The Secretary of Defense is the principal assistant to the President in all matters relating to the Department of Defense with authority, direction, and control over the Department. The SECDEF is required to provide annually:

- A report to the President and Congress on the expenditures, work, and accomplishments of the Department.
 - A description of major military missions and the military force structure

- A justification for those military missions and force structure
 - Explanation of the relationships between the missions force structure
- Written policy guidance, with the advice and assistance of the CJCS, to the heads of the DoD components for the preparation and review of program recommendations and budget proposals.
 - National security objectives and policies
 - The priorities of military missions
 - Projections of available resources levels
- Written policy guidance, with approval from the President and after consultation with the CJCS, to the Chairman for the preparation and review of contingency plans including projected force and resource levels.
- A report to Congress containing a comprehensive net assessment of the defense capabilities and programs of the U.S. armed forces and its allies.
 - Comparison the U.S. and allied defense capabilities with the capabilities of potential adversaries.
 - Past and forecasted trends in capabilities and programs.
 - A description of the means by which the DoD will maintain the capability to reconstitute and expand the defense capabilities and programs on short notice to meet a resurgent or increased threat to national security.
- Provide annual guidelines, with the advice and assistance of the Chairman of the Joint Chiefs of Staff, to the Secretaries of the Military Departments and commanders of combatant commands, directing the detection and monitoring of all potential aerial and maritime threats to U.S. security, including force levels and specific supporting resources to be made available.
- *Annual Manpower requirements report (10 USC 115a).* Each year the SECDEF report to Congress on manpower requirements is to include:
 - Justification for the strength levels and national security policies
 - The justification and explanation for all major force units:
 - Unit mission and capability
 - Strategy the unit supports
 - Manpower required to perform the medical missions
 - Manpower required to perform overhead functions to the primary combat missions
 - Manpower required for and/or assigned to duty overseas.
- *Annual Operations and Maintenance Report (10 USC 116).* An annual operations and maintenance report including the number of aircraft flying hours,

number of field training days, and number of ship steaming hours. Also the number of ships for major repair work, number of airframe and aircraft engine reworks, and vehicle overhauls.

- *Quarterly Readiness Reports (10 USC 482)*. Report on military readiness based on any assessments provided for that quarter, including description of the problem and planned remedial actions.
 - To any council, committee, or other body of the DoD that has responsibility for readiness oversight and whose membership includes at least one civilian officer in the OSD at the level of ASD or higher.
 - By senior civilian and military officers of the Military Departments and the commanders of the unified and specified commands.
 - As part of any regularly established process of periodic readiness reviews for the Department.
- *Annual Mobilization Exercise (10 USC 10208)*. The Secretary of Defense shall conduct at least one major mobilization exercise each year. The exercise should be as comprehensive and as realistic as possible and should include the participation of associated Active component and Reserve component units.

OFFICE OF THE SECRETARY OF DEFENSE (10 USC 131)

The function of the Office of the Secretary of Defense (OSD) is to assist the Secretary of Defense in carrying out his duties and responsibilities and to carry out such other duties as may be prescribed by law.

The Secretary of each Military Department and the civilian employees and members of the Armed Forces under the jurisdiction of the Secretary, shall cooperate fully with personnel of the Office of the Secretary of Defense to achieve efficient administration of the Department of Defense and to carry out effectively the authority, direction, and control of the SECDEF.

Under Secretary of Defense for Acquisition and Technology - USD (A&T) - 10 USC 133

Subject to the authority, direction, and control of the Secretary of Defense, the USD (A&T) shall perform such duties and exercise such powers relating to the acquisition as the SECDEF may prescribe, including:

- Supervising DoD acquisition, serving as the senior procurement executive and the Defense Acquisition Executive for the Department of Defense.
- Establishing policies for acquisition, including procurement, research and development, logistics, developmental testing, and contract administration.
- Establishing policies for the maintenance of the defense industrial base.

- Directing the Secretaries of the Military Departments and the heads of all other elements of the Department of Defense in areas of assigned responsibility.

Under Secretary of Defense for Policy - USD (P) - (10 USC 134)

The Under Secretary of Defense for Policy shall perform such duties and exercise such powers as the Secretary of Defense shall prescribe.

The Under Secretary for Policy *shall assist the Secretary of Defense*

- In preparing written policy guidance for the preparation and review of contingency plans
- In reviewing such plans

Under Secretary of Defense for Personnel and Readiness - USD (P&R) (10 USC 136)

Subject to the authority, direction, and control of the Secretary of Defense, the Under Secretary of Defense shall perform such duties and exercise such powers as the SECDEF may prescribe in the areas of:

- Military readiness
- Total force management
- National Guard and reserve components
- Health Affairs
- Military and civilian personnel requirements and training
- Military and civilian family matters
- Personnel requirements for weapons support
- Exchange, commissary and nonappropriated fund activities

CHAIRMAN OF THE JOINT CHIEFS OF STAFF (10 USC 151-153)

Principal advisor to the President, the National Security Council, and the Secretary of Defense (SECDEF). *Subject to the authority, direction, and control of the President and the SECDEF*, the Chairman of the Joint Chiefs of Staff is responsible to:

- Assist the President and SECDEF in providing strategic direction of the armed forces.
- Prepare strategic plans, including plans which conform to projected resource levels.
- Provide for the preparation and review of contingency plans.

- Prepare joint logistic and mobility plans to support strategic and contingency plans and recommend the assignment of logistic and mobility responsibilities.
- Perform net assessments to determine the capability of the U.S. Armed Forces and its allies as compared with those of their potential adversaries.
- Advise the SECDEF on critical deficiencies and strengths in force capabilities, including manpower, logistics, and mobility identified in preparing contingency plans and their effect on meeting national security objectives and policy.
- Establish and maintain a uniform system of evaluating the preparedness of each command to carry out its assigned mission.
- Advise the SECDEF on the priorities of requirements and the extent by which program recommendations and budget proposals conform to the priorities established in the strategic plans.
- Submit to the SECDEF alternative program recommendations and budget proposals, within projected resource levels and guidance provided by the Secretary in order to achieve better conformance with the established priorities.
- Advise the SECDEF on the extent to which major programs and policies of the armed forces in the area of manpower conform to strategic plans.
- Assess military requirements for defense acquisition programs.
- Report to the SECDEF not less than every 3 years on the roles and missions of the Armed Forces based on changes in threats, unnecessary duplication of effort, changes in technology that can be applied effectively to warfare, and recommended changes in policy, directives, regulations, and legislation.
- Report to Congress, annually assessing the readiness and capability of the Armed Forces to carry out the full range of assigned missions to include consideration of personnel, training and exercises, logistics, modernization, installations, munitions, mobility, and wartime sustainability.
- Report on the responsiveness and readiness of combat support agencies to support operating forces in the event of war or threat to national security (10 USC 193).
- Chair the Joint Requirements Oversight Council (JROC), 10 USC 181. The mission of the JROC is to identify and assess priority of joint military requirements to meet national military strategy.

JOINT STAFF (10 USC 155)

The Joint Staff assists the Chairman and, subject to the authority, direction, and control of the Chairman, the members of the Joint Chiefs of Staff in carrying out their responsibilities.

COMBATANT COMMANDS (10 USC 161)

The President, with the advice and assistance of the CJCS, through the Secretary of Defense shall:

- Establish unified and specified combatant commands to perform military missions.
- Prescribe the force structure of those commands.

The Chairman shall periodically (every 2 years or less) review the missions, responsibilities, and force structure of each command and recommend to the President, through the Secretary of Defense, any changes to such missions, responsibilities, and force structure.

- Direct communication of the combatant commands to the President of SECDEF is to be transmitted through the CJCS.
- The SECDEF may assign the CJCS oversight responsibility.

Subject to the authority, direction, and control of the SECDEF, the CJCS serves as the spokesman for the commanders of the combatant command.

The Secretary of Defense shall include in the annual budget of the Department of Defense a separate budget proposal for such activities of each of the unified and specified commands (10 USC 166):

- Include funding proposals for Joint Exercises, force training, contingencies, and selected operations.
- Include funding for SOF training with foreign forces.

The CJCS may provide funds from the "CINC's Initiative Fund" for such activities as force training, contingencies, selected operations, command and control, joint exercises, humanitarian and civil assistance, military education and training to foreign personnel, and expenses for bilateral regional cooperation (10 USC 166a). Priority should be given for activities that would—

- Enhance warfighting capability, readiness and sustainability.
- Reduce the threat or increase the security of the United States.

Appendix C

KEY DOD PREPAREDNESS AND RESPOND-RELATED DOCUMENTS

PART A

Laws and Presidential Directives

Document	Title	Date	Policy Oversight
United States Code			
3 USC 301	Authority to Delegate Functions		
Title 10	Armed Forces duties and responsibilities of DoD (see separate list)		see separate list
14 USC 3	Transfer of the Coast Guard to the Department of Defense		USD (P&R)
14 USC 722	Seizure of Vessels - use of land/sea forces		USD (A&T)
16 USC 809	Use of Fed Energy Regulatory Commission projects in time of war		USD (A&T)
16 USC 824a,c,d	Temporary connection/construction of facilities for electric energy		USD (A&T)
16 USC 831n,s	Possession of the TVA in times of war		USD (A&T)
18 USC1385	Posse Comitatis Act		GC & USD (P)
19 USC 1318	Tariff Act of 1930		USD (C)
22 USC 1961-1965	Military Assistance Programs & use of Armed Forces in the Middle East		USD (P)
22 USC 3618	<i>Mil Authority in Panama in times of war</i>		USD (P)
22 USC 4802(b)	Overseas Evacuations - Contingency plans		USD (P)
31 USC 3727(d)	Public Contracts in time of war		USD (A&T)
32 USC 102	Federalization of the National Guard		USD (P&R)
32 USC 104b,c	Organization of the Army and Air National Guard for war		USD (P&R)
32 USC 703 b	Requisitioning of supplies from the Guard		USD (P&R)/USD (A&T)
33 USC 854-858	Transfer of NOAA to DoD		USD (P&R)
37 USC	Governs pay/allowances during war/national emergency/hostilities		USD (P&R)
38 USC 811A	VA medical support		ASD (P&R)
40 USC 276a & 331	Suspension of laws - pay/hours of civilians		USD (P&R)
Title 41	Public Contracts		
41 USC 11	The Food and Forage Act		USD (A&T)
Title 42	The Public Health and Welfare		
42 USC 217	Transfer of the Public Health Service to DoD		USD (P&R)
42 USC 2121&2164	DoE/DoD transfer of restricted materials/information in war		USD (P)/ASD C3I
42 USC 5195	Robert T Stanford Disaster Relief & Emergency Assistance Act (PL 93-288) as amended by (PL 100-707)		USD (P)
Title 46	Shipping		
46 USC appx.	Waiver of navigation/vessel inspection laws		USD (A&T)/GC
46 USC 835	Prohibition of sales/transfer of American ships to foreign registry		USD (A&T)
46 USC 1187	Maritime Security Fleet Program		USD (A&T)
46 USC 1242	Merchant Marine Act of 1936 as amended Section 902		USD (A&T)
46 USC 1248	Sealift Readiness Program		USD (A&T)
Title 47	Telecommunications		
47 USC 308	Waiver of formal application requirements		ASD C3I
47 USC 606	Priority/preference for communications & use/control of facilities - The Communications Act of 1934		ASD C3I
	National Telecommunications Act of 1996		ASD C3I
Title 49	Transportation		
49 USC 2251	The Federal Civil Aviation Act of 1958		USD (A&T)/ASD C3I
49 USC 11124	STB ordering of DoD preference/priority on rail shipments		USD (A&T)
49 USC 13101	US Transportation policy - must meet national defense needs		USD (A&T)
49 USC 40101	FAA Administrator must consider national defense		USD (A&T)/ASD C3I
49 USC 40106	Military traffic deviation from air traffic regulations		USD (A&T)/ASD C3I
49 USC44501/44505	Long range plans & policy consideration of national defense		USD (A&T)/ASD C3I

PART A**Laws and Presidential Directives (cont.)**

Document	Title	Date	Policy Oversight
Title 50	War & National Defense (as amended)		
50 USC 21	Alien Enemies		USD (P)
50 USC 82(b)	Arsenals, Armories, Arms, & War Materiel		USD (A&T)
50 USC 98 App 98	Strategic and Critical Materials Stockpiling Act		USD (A&T)
50 USC 191-198	Vessels in Territorial Waters		USD (A&T)
50 USC 401 et seq	National Security Act of 1947		USD (P)
50 USC 402	National Security Council		USD (P)
50 USC 402a	Coordination of Counter intelligence Activities		ASD C3I
50 USC 403-5	Responsibilities of SECDEF to the National Foreign Intelligence Program		ASD C3I
50 USC 403-5a	Assistance to US Law Enforcement Agencies		ASD C3I/USD (P)
50 USC 404	Emergency Preparedness		USD (P)
50 USC 451	<i>The National Defense Reserve Act of 1973 PL 93-155</i> <i>repealed and moved to 10 USC 253</i>		USD (A&T)
50 USC 468 et seq	The Military Selective Service Act of 1954		USD (A&T)/USD (P&R)
50 USC 1431 et seq	National Defense Commerce Act (PL 85-804)		USD (A&T)
50 USC 1511	Chemical and Biological Warfare Program		USD (A&T)
50 USC 1541	The War Powers Act (PL 93-148)		USD (P)
50 USC 1601 et seq	National Emergencies Act of 1976 as amended		USD (P)
50 USC 1701	The Emergency International Economic Powers Act		USD (P)
50 USC 1701	Merchant Marine Act of 1946		USD (A&T)
50 USC App 1735-44	Merchant Ship Sales Act of 1946		USD (A&T)
50 USC 1744	National Defense Reserve Fleet		USD (A&T)
50 USC 2061 et seq	Defense Production Act of 1950		USD (A&T)
50 USC 2251	<i>Civil Defense Act of 1950 (repealed)</i>		USD (P)
50 USC 2311	Domestic Preparedness for Weapons of Mass Destruction		USD (P)
50 USC 2401 et seq	Export Regulation Act of 1979		USD (P)
National Security Decision Directives (NSDD)/PDD			
NSDD 28	National Security Sealift Policy	10/5/89	USD (A&T)
NSDD 47	Emergency Mob. Preparedness	7/22/82	USD (P)
NSDD 66	<i>Civil Defense (Legislation 50 USC 2251 repealed)</i>	3/16/92	USD (P)
NSDD 188	Govt Coord for Nat Sec Emer Prep	9/16/85	USD (P)
NSDD 200	Port Security	12/4/85	USD (A&T)
NSDD 280	National Airlift Policy	6/24/87	USD (A&T)
PDD-39	Counter Terrorism Policy	12/6/95	USD (P)
PDD-56	Peacekeeping and Complex Contingencies	5/1/97	USD (P)
PDD-62	Combating Terrorism	5/22/98	USD (P)
PDD-63	Protecting America's Critical Infrastructures	5/22/98	ASD C3I
Executive Orders			
EO 10480	<i>Further Provid. Admin of DOD Mob</i>	8/14/53	USD (P)
EO 11921	<i>Assigning Emer Prep Functions to Fed Departments & Agencies</i>	6/11/76	USD (P)
EO 11490	<i>Assignment of Emer Prep Functions to Govt Departments/Agencies</i>	10/28/69	USD (P)
EO 12148	Federal Emergency Management	7/20/79	USD (P)
EO 12333	US Intelligence Activities	12/4/81	ASD C3I

PART A**Laws and Presidential Directives (cont.)**

Document	Executive Orders (cont)	Date	Policy Oversight
EO 12472	Assignment of NSEP Telecommunications Functions	4/3/84	ASD C3I
EO 12626	National Defense Stockpile Manager	2/25/88	USD (A&T)
EO 12656	Assignment of Emergency Preparedness Responsibilities	11/18/88	USD (P)
EO 12742	National Security Industrial Responsiveness	1/10/91	USD (A&T)
EO 12787	The Order of Succession of Officers to Act as SecDef	12/31/91	USD (P)
EO 12919	National Defense Industrial Resource Preparedness	6/3/94	USD (A&T)
EO 13010	President's Commission on Critical Infrastructure Protection	7/15/96	ASD C3I
EO 13025	President's Commission on Critical Infrastructure Protection	11/13/96	amends EO 13010
EO 13041	President's Commission on Critical Infrastructure Protection	4/3/97	amends EO 13010
EO 13064	President's Commission on critical Infrastructure Protection	10/11/97	amends EO 13010

PART B**DoD Directives and Guidance**

Document	Title	Date	Policy Oversight
DoDD 1100.18	Wartime Manpower Mobilization Planning	10/23/86	ASD (FM&P)
DoD 1100.18-H	Mobilization Handbook for Installation Manpower Planners	10/1/86	USD (P&R)/DUSD (R)
DoDI 1100.19	Wartime Manpower Mobilization Planning Policies & Procedures	2/20/86	ASD (FM&P)
DoD 1100.19-H	Wartime Manpower Program Guidance	3/1/90	USD (P&R)/DUSD (R)
DoD 1100.19-M	Wartime Manpower Planning System ADP Systems Users Manual	3/1/87	USD (P&R)/DUSD (R)
DoDD 1100.4	Guidance for Manpower Programs	8/20/54	ASD (M&P)
DoDD 1100.6	National Defense Executive Reserve	12/7/83	ASD (MRA&L)
DoDD 1200.7	Screening the Ready Reserve	4/6/84	ASD (RA)
DoD 1215-H	Reserve Component of the U.S. Armed Forces	6/1/96	ASD (RA)
DoDD 1225.6	Equipping the Reserve Forces	11/12/92	ASD (RA)
DoDD 1225.7	Reserve Component Facility Programs and Unit Stations	3/18/96	ASD (RA)
DoDD 1235.9	Management the Standby Reserve	2/10/98	ASD (RA)
DoDD 1235.10	Activation, Mobilization & Demobilization of the Ready Reserve	7/1/95	ASD (RA)
DoDD 1235.11	Management of Individual Mobilization Augmentees	5/6/96	ASD (RA)
DoDI 1235.12	Accessing the Ready Reserves	1/19/96	ASD (RA)
DoDD 1235.13	Management of the Individual Ready Reserve and Inactive National Guard	11/19/97	ASD (RA)
DoDI 1235.14	Administration & Management of the IRR & ING	10/31/97	ASD (RA)
DoDI 1342.19	Family Care Plan	7/13/92	ASD (FM&P)
DoDI 1342.23	Family Readiness for National Guard and Reserves	9/29/94	ASD (RA)
DoDD 1352.1	Management & Mobilization of Regular & Reserve Retired Military	3/2/90	ASD (RA)
DoDD 1400.31	DoD Civ Workforce Contingency & Emergency Planning and Execution	4/28/95	ASD (FMP)
DoDI 1400.32	DoD Civ Workforce Cont & Emer Planning Guidelines & Procedure	4/24/95	USD (P&R)
DoDD 2000.8	Cooperative Logistic Supply Arrangements	2/12/81	ASD MRA&L
DoDD 2000.12	DoD Combating Terrorism Program	9/15/96	ASD SO/LIC
DoD 0-2000.12-H	Protection of DoD Personnel & Activities Against Acts of Terrorism	2/1/93	ASD SO/LIC
DoDI 2000.14	DoD Combating Terrorism Procedures	6/15/94	ASD SO/LIC
DoDD 2060.2	DoD Counterproliferation (CP) Implementation	7/9/96	ASD ISP
DoDD 2205.2	Humanitarian and Civic Assistance provided in Conjunction with Military Operatio	10/6/94	ASD SC/LIC
DoDI 2205.3	Implementing Procedures for Humanitarian and Civic Assistance	1/27/95	ASD SO/LIC
DoDD 3005.7	Emer Req, Alloc, Prior, & Permits for DoD Use of Domestic Civil Transp	5/30/85	ASD MI&L
DoDD 3020.26	Continuity of Operations, Policies & Planning	5/26/95	USD (P)
DoD C 3020.26-P	OSD Continuity of Operations Plan	5/26/95	USD (P)/PS/EPP/EP
DoDD 3020.36	Assign. of Nat. Sec. Emer. Prepared. Responsibilities to DoD Component	3/12/93	USD (P)

PART B**DoD Directives and Guidance (con't)**

Document	Title	Date	Policy Oversight
DoDI 3020.37	Continuation of Essential DoD Contractor Services During Crisis	11/6/90	USD (P)
DoDI 3020.38	Promulgation & Administration of Crisis Action Packages (CAPs)	12/13/90	USD (P)
DoDD 3025.1	Military Support to Civil Authorities	1/15/93	USD (P)
DoD 3025.1-M	Manual for Civil Emergencies	6/1/94	USD (P)
DoDD 3025.12	Military Assistance for Civil Disturbances	2/4/94	USD (P)
DoDD 3025.14	Noncombatant Evacuation Operations (NEO)	7/13/92	ASD FM&P
DoDD 3025.15	Military Assistance to Civil Authorities	2/18/97	ASD SO/LIC
DoDD 3110.6	War Reserve Materiel Policy	4/25/94	USD (A&T)
DoDD 3150.5	DoD Response to Improvised Nuclear Device Incidents	3/24/87	ASD ISA
DoDD 3150.8	DoD Response to Radiological Incidents	6/13/96	ASD ISA
DoDD 3222.4	Electronic Warfare & Command & Control Warfare	1/28/94	ASD C3I
DoD 4005.3-H	Registry of Planned Producers	4/1/91	USD (A&T)
DOD 4140.1R	Materiel Management	1/1/93	USD (A&T)
DoDD 4140.25	DOD Bulk Petroleum Management Policy	1/8/93	ASD P&L
DoDD 4151.18	Maintenance of Military Materiel	8/12/92	ASD P&L
DOD 4151.18-H	Depot Maintenance Capacity & Utilization Measurement Hdbk	1/24/97	USD (A&T)
DoDI 4170.10	Energy Management Policy	8/8/91	ASD (P&L)
DoD 4500 R	Defense Transportation Regulation	8/1/95	DUSD (L)
DoDD 4270.36	DoD Emergency, Contingency & other Unprogrammed Construction Projects	5/17/97	USD (A&T)
DoDD 4275.5	Acquisition and Management of Industrial Resources	10/6/80	USD&E
DoDD 4400.1	Defense Production Act Programs	3/18/96	USD (A&T)
DOD 4400.1-M	DoD Priorities and Allocations Manual	5/16/95	USD (A&T)
DoD S-4410.3-L	DoD Master Urgency List	2/1/84	USD (A&T)
DoDD 4500.9	Transportation and Traffic Management	2/12/93	USD (A)
DoD 4500.9-R part III	Defense Transportation Regulation (Mobility)	4/1/97	USD (A&T)
DoDD 4500.37	Management of the DoD Intermodal Container System	4/2/87	USD (A)
DoDD 4500.43	Operational Support Aircraft	10/28/96	USD (A&T)
DoDI 4500.45	DoD Transportation Policy Council	4/24/84	ASD MI&L
DoDD 4510.11	DOD Transportation Engineering	10/2/95	USD (A&T)
DoDD 4630.5	Compatibility, Interoperability & Integration of C3I Systems	11/12/92	ASD C3I
DoDI 4630.8	Procedures for Compatibility, Interoperability & Integration of C3I Systems	11/18/92	ASD C3I
DoDD 4640.13	Mgmt of Base & Long Haul Telecommunications Equipment & Services	12/5/91	ASD C3I
DoDI 4640.14	Mgmt of Base & Long Haul Telecommunications Equipment & Services	12/6/91	ASD C3I
DoDD 4705.1	Management of Land-based Water Resources in Support of Cont.	7/9/92	ASD P&L
DoDD 5030.19	DoD Responsibilities on Fed Aviation & Nat Airspace System	6/15/97	ASD C3I
DoDD 5030.8	Office of the Coordinator of Ship Repair and Conversion	9/24/76	ASD I&L
DoDD 5030.9	Office of the Coordinator for Ship Repair & Conversion for DoD/Department of Cc	1/19/72	ASD I&L
DoDD 5100.1	Functions of the DOD & Major Components	9/25/87	ASD C
DoDD 5100.30	World-wide Military Command and Control System	5/16/74	ASD C3I
DoDD 5100.41	Exec Agent Responsibilities for NCS	5/1/91	ASD C3I
DoDD 5100.46	Foreign Disaster Relief	12/4/75	ASD ISA
DoD 5100.52M	Nuclear Weapon Accident Response Procedures	9/1/90	USD (A&T)
DoDD 5100.77	DoD Law of War Program	7/10/79	GC
DoDD 5100.78	US Port Security Program	8/25/86	USD (P)
DoDD 5100.85	Intelligence Systems Board (ISB)	6/27/95	ASD C3I
DoDD 5105.19	DISA	6/25/91	

PART B**DoD Directives and Guidance (con't)**

Document	Title	Date	Policy Oversight
DoDD 5105.22	DLA	8/15/86	
DoDD 5105.6	National Imagery and Mapping Agency	10/11/96	
DoDD 5105.62	Defense Threat Reduction Agency	9/30/98	
DoDD 5111.10	USD (P)	3/22/95	
DoDD 5111.2	DOD Mob & Deployment Study Grp	4/2/79	
DoDD 5111.7	ASD (International Security Affairs)	3/22/95	
DoDD 5111.8	ASD (Strategy and Requirements)	3/22/95	
DoDD 5111.9	Director of Net Assessments	3/22/95	
DoDD 5111.10	ASD (Special Operations/Low Intensity Conflicts)	3/22/95	
DoDD 5120.5	Conventional Forces Readiness Committee	7/26/89	
DoDD 5124.2	USD (Personnel and Readiness)	10/31/94	
DoDD 5124.5	ASD (FM&P)	10/31/94	
DoDD 5125.1	ASD (RA)	3/2/94	
DoDI 5126.47	DoD Energy Policy Council	12/2/85	ASD (A&L)
DoDD 5134.1	USD (Acquisition & Technology)	6/8/94	
DoDD 5134.3	Director, DDR&E	8/31/94	
DoDD 5134.8	ATSD (Nuclear, Chemical & Biological)	6/8/94	
DoDD 5136.1	ASD (HA)	5/27/94	
DoD 5136.1-P	Medical Readiness Strategic Plan	8/1/98	ASD (HA)
DoDD 5137.1	ASD (C3I)	2/12/92	
DoDD 5138.3	ASD (SO&LIC)	1/4/88	
DoDD 5141.1	ASD (PA&E)	2/1/89	
DoDD 5141.2	Director Operational Test & Evaluation	4/2/84	
DoDD 5145.1	General Counsel	12/15/89	
DoDD 5158.1	Org JCS & Relationship with OSD	5/1/85	ASD C
DoDD 5160.5	Responsibilities for RD&A of Chem Weapons & Chem/Bio Defense	5/1/85	DDR&E
DoDI 5160.67	Defense Freight Railway Interchange	7/6/79	ASD (MRA&L)
DoDD 5160.54	DOD Critical Asset Assurance Program	1/20/98	USD (P)/PS/EPP/EP
DoD 5160.54-R	Industrial Facilities Protection	3/1/77	USD (P) /PS/EPP/EP
DoDD 5205.1	Defense Treaty Inspection Readiness Program	7/29/96	ASD C3I
DoDD 5525.5	DoD Cooperation with Civilian Law Enforcement	1/15/86	ASD FM&P
DoDD 6000.12	Health Service Operations & Readiness	4/29/96	ASD HA
DoDD 6205.3	DOD Immunization Program for Biological Warfare Defense	11/26/93	ASD (NS&CP)
DoDD 6490.2	Joint Medical Surveillance	8/30/97	ASD HA
DoDI 6490.3	Implement & Application of Joint Med Surveillance for Deployments	8/7/97	ASD HA

PART C**Joint Publications**

Publication	Title	Date	Policy Oversight
Joint Pub 3-08	Interagency Coordination during Joint Operations		USD (P)
Joint Pub 3-16	Joint Doctrine for Multinational Operations		USD (P)
Joint Pub 3-07	Joint Doctrine for Military Operations Other than War		USD (P)
Joint Pub 3-07.2	Joint Tactics, Techniques, and Procedures for Antiterrorism	6/25/93	USD (P)
Joint Pub 3-07.3	Joint Tactics, Techniques & Procedures for Peacekeeping Oper.	4/29/94	USD (P)
Joint Pub 3-07.4	Joint Counterdrug Operations	8/9/94	USD (P)
Joint Pub 3-07.5	Joint Tactics, Techniques & Procedures for NEO		USD (P)
Joint Pub 3-07.6	Joint Tactics, Techniques & Procedures for Foreign Human. Assist		USD (P)
Joint Pub 3-07.7	Joint Tactics, Techniques & Procedures for Domestic Support Oper.		USD (P)
Joint Pub 3-10	Doctrine for Joint Rear Area Operations	2/26/93	USD (A&T/(P&R)/(P)
Joint Pub 3-11	Joint Doctrine for NBC Defense	4/15/94	USD (A&T)
Joint Pub 4-0	Doctrine for Logistic Support of Joint Operations (JO)	9/25/92	USD (A&T)
Joint Pub 4-01	Mobility System Policies, Procedures and considerations	9/30/86	USD (A&T)
Joint Pub 4-01.1	Joint Tactics, Techniques & Procedures for Airlift Support for JO		USD (A&T)
Joint Pub 4-01.2	Joint Tactics, Techniques & Procedures for Sealift Support for JO		USD (A&T)
Joint Pub 4-01.3	Joint Tactics, Techniques & Procedures for Movement Control	1/26/94	USD (A&T)
Joint Pub 4-01.7	Joint Tactics, Techniques & Procedures for Use of Intermodal Cont.		USD (A&T)
Joint Pub 4-02	Doctrine for Health Service Support of Joint Operations (JO)	4/26/95	USD (P&R)
Joint Pub 4-04	Joint Doctrine for Civil Engineering Support	2/22/95	USD (A&T)
Joint Pub 4-05	Joint Doctrine for Mob Planning	6/22/95	USD (P)
Joint Pub 5-03	Joint Operations and Planning System	3/1/92	N/A
Joint Pub 6-0	Doctrine for C4 Systems Support to JO	6/3/92	ASD C3I
CJCSI 3110.01	Joint Strategic Capabilities Plan		All OSD
CJCSI 3110.13	Mobilization Guidance for the Joint Strategic Capabilities Plan	5/17/95	All OSD
CJCSI 3401.01A	Current Readiness System	10/15/96	USD (P&R)

Appendix D

RESPOND-RELATED DUTIES OF THE ASSISTANT SECRETARY OF DEFENSE FOR COMMAND, CONTROL, COMMUNICATIONS AND INTELLIGENCE

BACKGROUND

The ASD (C3I) is the principal staff assistant and advisor to the Secretary of Defense for C3I, information management (IM), information operations (IO), counter intelligence (CI), and security countermeasures (SCM) matters including warning, reconnaissance and intelligence. The Respond-related mission of the ASD (C3I) in support of the national military strategy is probably one of the most important on the OSD staff. The ability to provide timely and relevant intelligence support, including imagery, signals intelligence, and reconnaissance, and to surge the capacity of information operations and management necessary to support a full range of contingency operations and to provide a secure and assured means of communications is an imperative in meeting national security objectives. Information operations, global command and control, and all source intelligence are identified as key capabilities and force enablers in meeting the national military strategy.

The ASD (C3I) exercises authority, direction, and control over the following DoD components that would be key to meeting the Departments Respond-related duties and responsibilities. The ASD C3I has oversight of four of the Department's seven Combat Support Agencies and several other important organizations listed below.

- ASD (C3I) is Action Agent for the National Communications System (NCS), SECDEF is the Executive Agent. The NCS mission is to provide necessary communications to the Federal government under all conditions ranging from a normal situation to national emergencies and international crisis, including nuclear attack. Its mission under, E.O. 12472, Assignment of National Security and Emergency Preparedness Telecommunications Functions, is to assist the President and the Executive Office of the President in exercising wartime and non-wartime emergency telecommunications and in the coordination of the planning for and provisioning of national security and emergency preparedness communications (NS/EP) for the Federal Government.

- White House Communications Agency providing telecommunications and related support to the President, Vice president, White House Senior Staff, National Security Council, U.S. Secret Service and others as directed.
- National Reconnaissance Office (NRO) is a joint DoD organization and is part of intelligence community (50 U.S.C. 401a, Definitions) that designs, builds and operates on-orbit reconnaissance systems. Respond-related missions ranged from intelligence support for contingencies like Joint Endeavor, supporting other government agencies involved in disaster relief and humanitarian missions and counter-terrorism actions such as the latest strikes in Africa and SW Asia. NRO provides direct support to the Unified and Specified Commands with important response related responsibilities of providing intelligence, logistic, weather, and mapping information.

The four combat support agencies (CSAs), all with important response related functions and responsibilities, under the authority and direction of ASD (C3I) are:

- National Imagery and Mapping Agency (NIMA). The mission of NIMA (50 U.S.C. 403-5, Responsibilities of the Secretary of Defense Pertaining to National Foreign Intelligence Program and 10 USC, chapter 22), is to provide timely, relevant and accurate imagery, imagery intelligence, and geospatial information and ensuring the dissemination of imagery to authorized recipients in support of national security objectives. Imagery and products derived from it are integral to the success of operations such as threat indications and warning, disaster relief, arms control, counter-narcotics, counter-terrorism, non-proliferation, mission planning and precision targeting in support of major theater war. The NIMA is part of the intelligence community (50 U.S.C. 401a, Definitions) and carries out this responsibility by advising the Secretary and Deputy Secretary of Defense, The ASD (C3I), the Chairman of the Joint Chiefs of Staff, the Combatant Commanders and for national intelligence purposes, support to the Director of Central Intelligence and other Federal Departments and agencies. (NIMA was formed in 1996 from the Defense Mapping Agency, the Central Imagery Office, the Defense Dissemination Program Office, the National Photographic Interpretation Center, and imagery exploitation, dissemination and processing elements of the Defense Intelligence Agency, the NRO, Defense Airborne Reconnaissance Office, and the Central Intelligence Agency)
- Defense Intelligence Agency (DIA) - The mission of the DIA, established in E.O. 12333, U.S. Intelligence Activities, and 50 U.S.C. 403-5, Responsibilities of the Secretary of Defense pertaining to National Intelligence Program, is to collect, produce, or, through tasking and coordination, provide military and military-related intelligence for the Secretary of Defense, the Chairman of the Joint Chiefs of Staff (CJCS), other defense components and as appropriate, other non-Defense Agencies. The

DIA is part of the intelligence community (50 U.S.C. 401a, Definitions) and collects and provides military intelligence for national foreign intelligence and counterintelligence products, coordinate all DoD intelligence collection requirements, manage the Defense attaché system, provide foreign intelligence and counterintelligence staff support to the CJCS and manage the General Defense Intelligence Program.

- National Security Agency (NSA) - The mission of the NSA, established in E.O. 12333, U.S. Intelligence Activities, and 50 U.S.C. 403-5, Responsibilities of the Secretary of Defense pertaining to National Intelligence Program, is the establishment and operation of an effective unified organization for signals intelligence activities. NSA is responsible for the control, collection, processing, dissemination of signal intelligence data and information for national foreign intelligence in support of the Director of Central Intelligence, other appropriate government departments and agencies and in support of military operations. No other department or agency may engage in signals intelligence activities except through a delegation of the Secretary of Defense. The NSA is part of the intelligence community (50 U.S.C. 401a, Definitions) executes the responsibilities of the Secretary of Defense as the Executive Agent for the communications security of the U.S.
- The Defense Information Systems Agency (DISA) - DISA is responsible for planning, developing and supporting command, control and communications (C3) and information systems that serve the needs of the National Command Authorities (NCA) under all conditions of peace and war. It also, ensures the interoperability of DoD C3 systems, including key contingency support systems such as the Global Combat Support System (GCSS), the Global Command and Control System (GCCS), The Defense Information System Network (DISN); NATO and allied systems; and those national and/or international commercial systems that effect the DISA mission, It supports the national security emergency preparedness (NS/EP) telecommunications functions of the NCS as prescribed by E.O. 12472.

RESPOND-RELATED LAWS, EXECUTIVE ORDERS, AND DIRECTIVES

1. National Imagery and Mapping Agency (10 USC 442) supports the following national security objectives of the United States:
 - Provide imagery, imagery intelligence and geospatial information.
 - Provide navigational information to the Navy and Merchant Marine and maps, charts, books and geodetic products.
 - National missions as described under section 120(a) of the National Security Act of 1947

- Design, develop, deploy, operate and maintain systems related to the processing, and dissemination of imagery intelligence and geospatial information that may be used by the armed forces, combatant command, task force or any other department or agency of the United States.
2. Communications Act of 1934 (47 USC 606), War Powers of the President, as amended:
- During any war the President may order any carrier to give preference or priority for national defense communications and employ the armed forces to prevent the retardation or obstruction of interstate or foreign communications. Suspend or amend rules and regulations pertaining to telecommunications or any station, close and remove any emitting device and order the closure or government use of wire facilities.
 - The SECDEF, as the Executive Agent, coordinates policy, plans, and programs for the mobilization and use of the Nation's telecommunications resources in an emergency.
3. National Defense Authorization Act of 1996, Section 1053 (Kyl Amendment):
- Requested a review of national policy on protecting the national information infrastructure against strategic attacks. Required a report on a description of the national policy and architecture governing the plans for establishing procedures, capabilities, systems and processes necessary to perform indications, warning, and assessment regarding strategic attacks by foreign nations, groups, or individuals or any other entity against the national information infrastructure.
 - An assessment of the future of the NCS, including the expansion and modernization of the NCS and the best use of the NCS as an integral part of national strategy to protect the U.S. against attack on the national information infrastructure.
4. 50 U.S.C. 403-5, Responsibilities of the Secretary of Defense pertaining to the National Foreign Intelligence Program:
- Ensure appropriate implementation of the policies and resource decisions of the Director of Central Intelligence (DCI) by the elements of the Department of Defense within the National Foreign Intelligence Program
 - Ensure that the tactical intelligence activities of the Department of Defense complement and are compatible with intelligence activities under the National Foreign Intelligence Program.
 - Ensure that the elements of the intelligence community (as defined in 50 U.S.C. 401a) within the DoD are responsive and timely with respect to satisfying the needs of operational forces.

- The Secretary of Defense shall ensure:
 - Through the National Security Agency the continued operation of an effective unified organization for the conduct of signals intelligence and the product is disseminated in a timely manner.
 - Through the National Imagery and Mapping Agency to continued operation of an effective unified organization within the DoD for collecting imagery information, coordination of imagery processing and exploitation, and dissemination in a timely manner to all authorized recipients. Also, prescribing technical architecture and standards relating to imagery intelligence and ensuring compliance with such architecture and standards and developing and fielding systems of common concern related to imagery intelligence and geospatial information.
 - Through the National Reconnaissance Office the continued operation of an effective unified for the research, development and operation of overhead reconnaissance systems necessary to satisfy all the element of the intelligence community.
 - Through the Defense Intelligence Agency the continued operation of an effective unified system within the DoD for the production of timely, objective military and military-related intelligence and the appropriate dissemination. Also, effective management of DoD human intelligence activities, including defense attaches
 - That the Military departments maintain sufficient capabilities to collect and produce intelligence to meet the requirements of the DCI, SECDEF, CJCS, unified and specified commands and of joint operations and other specialized requirements of the military departments. Also, specialized requirements of the military departments for intelligence necessary to support tactical commanders, military planners, research and development process, the acquisition of military equipment, and training and doctrine.

5. 50 U.S.C. 403-5a, Assistance to United States law enforcement agencies:

- Upon the request of a U.S. law enforcement agency, elements of the intelligence community, only the DIA, NSA, NIMA and NRO in DoD, collect information outside the U.S. about individuals that are not U.S. citizens for the purposes of law enforcement investigation and counterintelligence.

6. Executive Order 12333, "U.S. Intelligence Activities"

- Assigned the Secretary of Defense the following duties and responsibilities:
 - Executive Agent for signals intelligence and communications security for the U.S.
 - Collection of foreign military intelligence and counterintelligence

- Provide for the timely transmission of critical intelligence within the U.S. government.
 - Protect the security of Department of Defense installations, activities, property, information and employees by appropriate means.
 - Established the NSA, with the responsibility to execute Executive Agent responsibilities for communications security of the Federal government and DIA
7. Executive Order 12472, Assignment of National Security and Emergency Preparedness Telecommunications Functions: Provides assignment and responsibility for improved execution of national security and emergency preparedness telecommunications functions. Establishes the National Communications System and assigns wartime and non-wartime emergency functions.
- Secretary of Defense serves as the Executive Agent for the NCS and designates a manager of the NCS, [ASD (C3) and (DISA)]
 - Secretary of Defense is to plan, and operate and maintain telecommunications services for the National Command Authorities (NCA)
 - The SECDEF is to ensure that the NSA plans for security and protection of NS/EP telecommunications.
8. Executive Order 13010, Critical Infrastructure Protection:
- Development of a strategy for protecting and assuring the continued operation of the following critical infrastructures: telecommunications, electrical power systems, gas and oil storage and transportation, banking and finance, transportation, water supply systems, emergency services and continuity of government.
 - DoD representation on the President's Commission on Critical Infrastructure Protection and Principals Committee and support to the Infrastructure Protection Task Force.
 - Provide assistance, information and advice and share information about threats and warning of attacks and information about attacks to the extent allowable by law.
9. Presidential Decision Directive (PDD-63), Protecting America's Critical Infrastructures:
- U.S. policy to assure the continuity and viability of critical infrastructure and to take all necessary measures to quickly eliminate any significant vulnerability to physical or cyber attacks on critical infrastructure.

- Each agency is responsible for assessing its vulnerabilities from physical and cyber attacks, assist in developing a system for identifying and preventing attacks, alerting, containing and rebuffing an attack in progress and reconstituting minimum essential capabilities to support peacetime and wartime military requirements. Also, responsible for and its own infrastructure protection.
 - DoD is the lead agency for national defense functions, will work with the private sector supporting defense operations and will provide an ASD or higher to the Critical Infrastructure Coordination Group (CICG).
10. Code of Federal Regulations, Title 47, Chapter II, Part 201-216: Prescribes the conservation, allocation, and use of the Nation's telecommunications resources during a crisis and emergencies. It assigns responsibilities and includes NCS directives.
 11. Code of Federal Regulations, Title 47, Chapter 1, Part 63, Rules to Provide for Notification by Common Carriers of Service Disruptions: Establishes outage reporting requirements and procedures which effect special facilities such as NS/EP facilities managed by the NCS.
 12. DoDD 3020.36, Assignment of National Security Emergency Preparedness Responsibilities to DoD Components, March 12, 1993. The ASD (C3I) shall:
 - Assist the Director, Office of Science and Technology Policy, in the exercise of war powers of the President under section 706 of the Communications Act of 1934. As a member of the Joint Telecommunications Resources Board, assist the Director OSTP, in the exercise of non-wartime emergency functions on the provision, management, or allocation of federal telecommunication resources
 - Assist the Secretary of the Defense, when acting as the Executive Agent for the NCS and provide staff oversight of the activities of the manager of the NCS outlined in E.O. 12472.
 - Develop plans for use of existing communications facilities and determine military requirements for additional commercial services and facilities that might be needed during a crisis.
 - In coordination with the Federal Communications Commission (FCC) and the OSTP, develop plans and programs for emergency control of all devices capable of emitting electromagnetic radiation.
 - In coordination with the Department of Transportation and the FCC, develop plans for the emergency control of civil and military air traffic and of associated navigation, position fixing and identification systems.

- Provide policy guidance and support for intelligence activities within the Department of Defense (DoD), including guidance for intelligence preparedness planning and programming for survivability of intelligence capabilities.
- Represent the Secretary of Defense in staff supervision of national intelligence collection assets of the DoD.
- Develop the means for assessing the capabilities of surviving intelligence collection, processing, analysis, and dissemination capabilities for the Secretary of Defense.
- Provide policy guidance on acquisition of intelligence information by non-intelligence elements of the Department of Defense.
- Represent the Secretary of Defense on interagency groups or advisory boards dealing with intelligence matters for emergency preparedness.
- Delegate representatives, as necessary, to support ad hoc or task force groups handling intelligence matters for emergency preparedness.
- Represent the Secretary of Defense as the DoD member on interagency groups or advisory bodies to advise on scientific and technological considerations involving low-intensity conflicts and for special operations forces.

Appendix E

GLOSSARY

ASD (C3I)	Assistant Secretary of Defense (Command, Control, Communications, and Intelligence)
ASD (FMP)	Assistant Secretary of Defense (Force Management Policy)
ASD (HA)	Assistant Secretary of Defense (Health Affairs)
ASD (ISA)	Assistant Secretary of Defense (International Security Affairs)
ASD (P&L)	Assistant Secretary of Defense (Production and Logistics)
ASD (RA)	Assistant Secretary of Defense (Reserve Affairs)
ASD (S&R)	Assistant Secretary of Defense (Strategy and Requirements – now S&TR)
ASD (S&TR)	Assistant Secretary of Defense (Strategy and Threat Reduction)
ASD (SO/LIC)	Assistant Secretary of Defense (Special Operations and Low Intensity Conflict)
AT	Antiterrorism
ATSD (NCB)	Assistant to the Secretary of Defense (Nuclear, Chemical, and Biological Defense programs)
CAAP	Critical Asset Assurance Program
CENTCOM	Central Command
CIAO	Critical Infrastructure Assurance Office
CICG	Critical Infrastructure Coordination Group
CINC	Commander of a combatant command
CIP	Critical Infrastructure Protection
CJCS	Chairman of the Joint Chiefs of Staff
CM	Consequence Management
COA	Course of action
CONPLAN	Operation Plan in Concept Format
CONUS	Continental United States
COOP	Continuity of Operations
CP	Counterproliferation
CPG	Contingency Planning Guidance
CRAF	Civil Reserve Air Fleet

CSA	Combat Support Agency
CT	Counterterrorism
CTR	Cooperative Threat Reduction
DA	Defense Agencies
DASD (PK/HA)	Deputy Assistant Secretary of Defense (Peacekeeping and Humanitarian Assistance)
DASD (PM)	Deputy Assistant Secretary of Defense (Policy and Missions)
DASD (R&P)	Deputy Assistant Secretary of Defense (Requirements and Plans)
DASD (S&IO)	Deputy Assistant Secretary of Defense (Security and Information Operations)
DDR&E	Director, Defense Research and Engineering
DEPSECDEF	Deputy Secretary of Defense
DFAS	Defense Finance and Accounting Service
DFSC	Defense Fuel Supply Center (Now the Defense Energy Support Center, DESC)
DIA	Defense Intelligence Agency
DISA	Defense Information Systems Agency
DoC	Department of Commerce
DoD	Department of Defense
DOMS	Director of Military Support
DoT	Department of Transportation
DPA	Defense Production Act
DPG	Defense Planning Guidance
DTRA	Defense Threat Reduction and Treaty Compliance Agency
DUSD (IA&I)	Deputy Under Secretary of Defense (Industrial Affairs and Installations)
DUSD (L)	Deputy Under Secretary of Defense (Logistics)
DUSD (PS)	Deputy Under Secretary of Defense (Policy Support)
DUSD (R)	Deputy Under Secretary of Defense (Readiness)
E.O.	Executive Order
ESF	Emergency Support Functions
FAA	Federal Aviation Administration
FDO	Federal Deterrent Option
FEMA	Federal Emergency Management Agency
FMS	Foreign Military Sales
FRP	Federal Response Plan

GC	General Council
HCA	Humanitarian and Civic Assistance
IFOR	Implementation Force
IPTF	Infrastructure Protection Task Force
ISAC	Information Sharing and Analysis Center
JCS MOP	Joint Chiefs of Staff Memorandum of Policy
JCS	Joint Chiefs of Staff
JMRR	Joint Monthly Readiness Review
JROC	Joint Requirements Oversight Council
JS	Joint Staff
JSCP	Joint Strategic Capabilities Plan
JTF	Joint Task Force
JV2010	Joint Vision 2010
LOC	Lines of Communication
MARAD	Maritime Administration
MILCON	Military Construction
MOU	Memorandum of Understanding
MRC	Major Regional Contingency
MSCA	Military Assistance to Civil Authorities
MTW	Major Theater War
NATO	North Atlantic Treaty Organization
NBC	Nuclear, Biological, and Chemical
NCS	National Communications System
NEO	Noncombatant Evacuation Operations
NG	National Guard
NIAC	National Infrastructure Coordination Group
NIMA	National Imagery and Mapping Agency
NIPC	National Infrastructure Protection Center
NMS	National Military Strategy
NRO	National Reconnaissance Office
NSA	National Security Agency
NSDD	National Security Decision Directive
NSS	National Security Strategy

NUWEP	Nuclear Weapons
OPLAN	Operational Plan
OSD (PA&E)	Office of the Secretary of Defense (Program Analysis and Evaluation)
OSD	Office of the Secretary of Defense
OUSD	Office of the Under Secretary of Defense
PDD	Presidential Decision Directive
PERSTEMPO	Personnel Operating Tempo
PHS	Public Health Service
POD	Point of Debarkation
POE	Point of Embarkation
POL	Petroleum, oil, and lubricants
PPBS	Planning, Programming, and Budgeting System
RC	Reserve Component
RSOI	Reception, Staging, Onward Movement and Integration
SECDEF	Secretary of Defense
SIOP	Single Integrated Operational Plan
SROC	Senior Readiness Oversight Council
SSC	Small-Scale Contingency
STB	Surface Transportation Board
Title 10	10 United States Code (10 USC), Armed Forces
Title 42	42 United States Code (42 USC), The Public Health and Welfare
Title 50	50 United States Code (50 USC), War and National Defense
TPFDL	Time-Phased Force Deployment List
USD (A&T)	Under Secretary of Defense (Acquisition and Technology)
USD (C)	Under Secretary of Defense (Comptroller)
USD (P&R)	Under Secretary of Defense (Personnel and Readiness)
USD (P)	Under Secretary of Defense (Policy)
VA	Veterans Administration
VISA	Voluntary Intermodal Sealift Agreement
WHNS	Wartime Host National Support
WMD	Weapons of Mass Destruction
WRM	War Reserve Material

Appendix F

TERMS AND DEFINITIONS

antiterrorism – Defensive measures used to reduce the vulnerability of individuals and property to terrorists attacks, to include limited response and containment by local military forces. (Source: Joint Pub 1-02)

area of responsibility – The geographical area associated with a combatant command within which a combatant commander has authority to plan and conduct operations. (Source: Joint Pub 1-02)

campaign – A series of military operations aimed at accomplishing a strategic or operational objective within a given time and space. (Source: Joint Pub 1-02)

capability – The capability to execute a course of action. In the context of responding to a crisis or major theater war, would include civilian and military resources, processes, programs and systems, materiel, and facilities available to meet mission requirements. Resources necessary to respond would include personnel, training, industry responsiveness, facilities, materiel, intelligence, medical support, external and other support services, distribution and transportation, communications, financial assets and other resources. (See military capability)

civil reserve air fleet (CRAF) – A program in which the department of Defense uses aircraft owned by a U.S. entity or citizen. The aircraft are allocated by the Department of Transportation to augment the military airlift capability of the Department of Defense. These aircraft are allocated, in accordance with DoD requirements, to specific segments, according to their capabilities, such as International Long Range and Short Range Cargo and Passenger sections, National (Domestic and Alaskan sections) and Aeromedical Evacuation, and other segments as may be mutually agreed upon by the Department of Defense and the Department of Transportation. (Source: Joint Pub 1-02). The industry voluntary agreements for CRAF are authorized under title VII of the Defense Production Act of 1950, 50 U.S.C. 2061 et seq.

civil assistance – Activities undertaken by the DoD components to assist the civilian sector in foreign areas and the United States and its territories. (Source: DoDD 2000.13)

combatant command – A unified or specified command with a broad mission under a single commander established and so designated by the President, through the Secretary of Defense and with the advice and assistance of the Chairman of the Joint Chiefs of Staff. Combatant commands typically have geographic or functional responsibilities. (Source: Joint Pub 1-02)

combatant commander – A commander-in-chief of one of the combatant commands established by the President. (Source: Joint Pub 1-02)

combatant command (command authority) – Nontransferable command authority established by Title 10, United States Code, section 164, exercised only by commanders of unified or specified commands unless otherwise directed by the President or Secretary of Defense. Combatant command authority cannot be delegated and is the authority of a combatant commander to perform those functions of command over assigned forces involving organization and employing commands and forces, assigning tasks, designating objectives, and giving authoritative direction over all aspects of military operations, joint training, and logistics necessary to accomplish missions assigned to the command. (Source: Joint Pub 1-02)

combat service support – The essential capabilities, functions, activities, and tasks necessary to sustain all elements of operating forces in theater at all levels of war. Within the national and theater logistics systems, it includes but is not limited to that support rendered by Service forces in ensuring the aspects of supply, maintenance, transportation, health services, and other services required by aviation and ground combat troops to permit those units to accomplish their missions in combat. Combat service support encompasses those activities at all levels of war that produce sustainment to all operating forces on the battlefield. (Source: Joint Pub 1-02)

combating terrorism – Actions, including antiterrorism (defensive measures taken to reduce vulnerability to terrorist attacks) and counterterrorism (offensive measures to prevent, deter, and respond to terrorism), taken to oppose terrorism throughout the entire threat spectrum. (Source: Joint Pub 1-02)

complex contingency – A contingency involving territorial disputes, armed ethnic conflicts, or civil wars that pose threats to regional or international peace, and could be accompanied by natural or manmade disasters causing massive human suffering that would require multidimensional operations to resolve effectively. Complex contingency operations are peace operations. They do not include domestic disaster relief, relatively routine or small-scale operations, or military operations conducted in

defense of U.S. citizens, territory, or property, including counterterrorism and hostage rescue operations and international armed conflict. (Source: paraphrased from the white paper on PDD - 56)

concept of logistic support – A statement, in a broad outline, of how the commander intends to support and integrate with a concept of operations in an operation or campaign. (Source: Joint Pub 1-02). In an OPLAN, it includes the expectations of the commander of a combatant command for external support in the forms of international agreements for basing, access, and transit rights and host nation support, allied and contractor support, preposition war reserve stocks, contingency contracting, civil agencies support, transportation, communications, the response of the national logistics base and industry to meet materiel and maintenance requirements, and other forms of materiel and services that will be required to meet mission requirements.

contingency – An emergency, involving military forces, caused by natural disasters, terrorists, subversives, or required military operations. Due to the uncertainty of the situation, contingencies require plans, rapid response, and special procedures to ensure the safety and readiness of personnel, installations, and equipment. (Source: Joint Pub 1-02)

contingency contracting – Contracting performed in support of peacetime contingency in an overseas location pursuant to the policies and procedures of the Federal Acquisition Regulatory System. (Source: Joint Pub 1-02)

contingency planning – The development of plans for potential crisis involving military requirements that can reasonably be expected in an area of responsibility. Contingency planning for joint operations is coordinated at the national level to support the Secretary of Defense Contingency Planning Guidance (CPG), strategic requirements in the National Military Strategy, and emergency crisis. Contingency planning can occur anywhere within the range of military operations and may be performed deliberately or under crisis action conditions. Contingency planning for joint operations is coordinated at the national level by assigning planning tasks and relationships among the combatant commanders and apportioning or allocating forces and resources available to accomplish those tasks. Commanders throughout the chain of command may task their staffs and subordinate commands with additional tasks beyond those specified at the national level to provide broader coverage. (Source: Joint PUB 1-02)

Contingency Planning Guidance (CPG) – A planning document that fulfills the statutory duty of the Secretary of Defense to furnish annually, to the Chairman of the Joint Chiefs of Staff, written policy guidance for contingency planning. The secretary

furnishes this guidance with the approval of the President after coordination with the Chairman of the Joint Chiefs of Staff. The CPG focuses the guidance given in the National Military Strategy and Defense Planning Guidance, and has direct impact on the Joint Strategic Capabilities Plan (JSCP). (Source: AFSC Pub 1)

Contingency Response Program – Transportation emergency preparedness program designed to ensure that the Department of Defense receives priority commercial transportation services during defense contingencies prior to the declaration of national emergency and during mobilization. Also called CORE. (Source: Joint Pub 1-02)

Continuity of Operations (COOP) – The degree or state of being continuous in the conduct of functions, tasks, or duties necessary to accomplish a military objective or mission in carrying out the national military strategy. It includes the functions and duties of the commander, as well as supporting duties performed by the staff and others acting under the authority and direction of the commander. (Source: Joint Pub 1-02). The continuity of mission-essential functions of all Federal departments and agencies during any national emergency through a system that provides for succession to office and emergency delegation of authority, in accordance with applicable law and establishes emergency operating capabilities that include safekeeping of key people and essential resources, facilities, and records. (DoDD 3020.26)

Counterdrug – Those active measures taken to detect, monitor, and counter the production, trafficking, and use of illegal drugs. (Source: Joint Pub (1-02)

counterproliferation – The activities of the Department of Defense across the full range of U.S. Government efforts to combat proliferation, including the application of military power to protect U.S. forces and interest; intelligence collection and analysis; support to diplomacy, arms control, and export controls. Accomplishment of these activities may require coordination with other U.S. Government Agencies. (Source: DoDD 2060.2)

counterterrorism – Offensive measures taken to detect, deter, and respond to terrorism (Source: Joint Pub 1-02)

course of action – A plan that would wholly or partly accomplish a mission. It is a product of the Joint Operation Planning and Execution System concept development phase. The supported commander will include a recommended course of action in the commander's estimate. The recommended course of action will include the concept of operations, evaluation of supportability estimates of supporting organizations, and an integrated time-phased data base of combat, combat support, and combat service support forces and sustainment. Refinement of this data base will be contingent on the time

available for course of action development. When approved, the course of action becomes the basis for the development of an operational plan or operation order. Also called COA. (Source: Joint Pub 1-02)

crisis – An incident or situation involving a threat to the United States, its territories, citizens, military forces, possessions, or vital interests that develops rapidly and creates a condition of such diplomatic, economic, political, or military importance that the commitment of U.S. forces and resources is contemplated to achieve national objectives. (Source: Joint Pub 1-02)

crisis action planning – (1) The Joint Operation Planning and Execution Systems process involving the time-sensitive development of joint operation plans and orders in response to a crisis. Crisis action planning follows prescribed crisis action procedures to formulate an effective response within the timeframe permitted by the crisis. (2) The time-sensitive planning for the deployment, employment, and sustainment and allocation of forces that occurs in response to a situation that may result in actual military operations. Crisis action planners base their plan on the circumstances that exist at the time planning occurs. (Source: Joint Pub 1-02)

critical infrastructure – Infrastructures that are deemed so vital that their incapacity or destruction would have a debilitating regional or national impact. They include at least seven categories: telecommunications, electric power systems, gas and oil, banking and finance, transportation, water supply systems, continuity of government and government operations. Emergency services (including medical, police and fire, and rescue services) might also be considered critical infrastructures. (Source: Joint Staff, Information Warfare, Legal, Regulatory, Policy and Organizational Considerations for Assurance). Critical infrastructures are those physical and cyber-based systems essential to the minimum operations of the economy and government. (Source: paraphrased from PDD-63, White Paper on Critical Infrastructure Protection)

deployment – The movement and relocation of forces and materiel to desired areas of operations. Deployment encompasses all activities from origin or home stations, specifically including intracontinental and intratheater movement legs, staging, and holding areas. (Source: Joint Pub 1-02)

distribution – The functional phase of military logistics that embraces the act of dispensing materiel, facilities, and services. (Source: Joint Pub 1-02)

distribution system – The complex of facilities, installations, methods, and procedures designed to receive store, maintain, distribute, and control the flow of military materiel between the point of receipt into the military system and the point of issue to using activities and units (Source: Joint Pub 1-02)

DoD support to counterdrug operations – Support provided by the Defense Department to law enforcement agencies to detect, monitor, and counter the production, trafficking, and use of illegal drugs. (Source: Joint Pub 1-02)

domestic emergencies – Emergencies affecting the public welfare and occurring within the 50 states, District of Columbia, Commonwealth of Puerto Rico, U.S. possessions and territories, or any political subdivision thereof, as a result of enemy attack, insurrection, civil disturbance, earthquake, fire, flood, or other public disasters or equivalent emergencies that endanger life and property or disrupt the usual process of government. The term domestic emergency includes any or all of the emergency conditions defined: (a) civil defense emergency - A domestic emergency disaster situation resulting from devastation created by enemy attack and requiring emergency operations during and following the attack. (b) civil disturbances - Riots, acts of violence, insurrections, unlawful obstructions or assemblages, or other disorders prejudicial to public law and order. The term civil disturbance includes all domestic conditions requiring or likely to require the use of Federal Armed Forces pursuant to the provisions of Chapter 15 of title 10, United States Code. (c) major disaster - Any flood, fire, hurricane, tornado, earthquake or other catastrophe which, in the determination of the president, is or threatens to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government under Public law 606, 91st Congress (42 U.S.C. code 58) to supplement the efforts and available resources of State and local governments in alleviating the damage, hardships, or suffering caused thereby. (d) natural disaster - all domestic emergencies except those created as a result of enemy attack or civil disturbance. (Source: Joint Pub 1-02)

emergency support function (ESF) – A functional area or response activity established to facilitate the delivery of Federal assistance required during the immediate response phase of a disaster to save lives, protect property, and public health and to maintain public safety. ESFs represent those types of Federal assistance that the State will most likely need because of the overwhelming impact of a catastrophic or significant disaster on its own resources and required capabilities, or because of the specialized or unique nature of the assistance required. ESF missions are designed to supplement State and local response efforts. (Source: Federal Emergency Management Agency, The Federal Response Plan)

employment – The strategic, operational, or tactical use of forces. (Source: Joint Pub 1-02)

evacuation – The clearance of personnel, animals, or materiel from a given locality. (Source: Joint Pub 1-02)

evacuation policy – A command decision concerning the movement of civilians from the proximity of military operations for security and safety reasons and involving the need to arrange for movement, reception, care, and control of such individuals. (Source: Joint Pub 1-02)

executive agent – A term used in the Department of Defense and Service regulations to indicate a delegation of authority by a superior to a subordinate to act on behalf of the superior. An agreement between equals does not create an executive agent. For example, a Service cannot become a Department of Defense Executive Agent for a particular matter with simply the agreement of other Services; such authority must be delegated by the Secretary of Defense. Designation of an executive agent, in and of itself, confers no authority. The exact nature and scope of the authority delegated must be stated in the document designating an executive agent. An executive agent may be limited to providing only administration and support or coordinating common functions, or it may be delegated authority, direction, and control over specified resources for specified purposes. (Source: Joint Pub 1-02)

facility – A real property entity consisting of one or more of the following: a building, a structure, a utility system, pavement, and underlying land. (Source: Joint Pub 1-02)

force protection – Security program designated to protect soldiers, civilian employees, family members, facilities, and equipment, in all locations and situations, accomplished through planned and integrated application of combating terrorism, physical security, operations security, and personnel protective services and supported by intelligence, counterintelligence, and other security programs. (Source: Joint Pub 1-02)

functional plans – Plans involving the conduct of military operations in a peacetime or permissive environment developed by the combatant commanders to address requirements such as disaster relief, nation assistance, logistics, communications, surveillance, protection of U.S. citizens, nuclear recovery and evacuation, and continuity of operations or similar discrete tasks. They may be developed in response to the requirements of the Joint Strategic Capabilities Plan, at the initiative of the CINC, or tasked by the supported combatant commander, Joint Staff, Service, or Defense Agency.

Chairman of the Joint Chiefs of Staff review of CINC-initiated plans is not normally required. (Source: Joint Pub 1-02)

health service support – All services performed, provided, or arranged by the Services to promote, improve, conserve, or restore the mental or physical well-being of personnel. These services include, but are not limited to, the management of health services resources, such as manpower, monies, and facilities; preventive and curative health measures; evacuation of the wounded, injured, and sick; selection of the medically fit and disposition of the medically unfit; blood management; medical supply, equipment and maintenance thereof; combat stress control; and medical, dental, veterinary, laboratory, optometric, medical food, and medical intelligence services. (Source: Joint Pub 1-02)

host nation support – Civil and/or military assistance rendered by a nation to foreign forces within its territory during peacetime, crisis or emergencies, or war based on agreements mutually concluded between nations. (Source: Joint Pub 1-02)

humanitarian and civic assistance – Assistance to the local populace provided by predominantly U.S. forces in conjunction with military operations and exercises. This assistance is specifically authorized by Title 10, United States Code, section 401, and funded under separate authorities. Assistance provided under these provisions is limited to (1) medical, dental, and veterinary care provided in rural areas of a country; (2) construction of rudimentary surface transportation systems; (3) well drilling and construction of basic sanitation facilities and (4) rudimentary construction and repair of public facilities. Assistance must fulfill unit training requirements that incidentally create humanitarian benefit to the local populace (Source: Joint Pub 1-02)

humanitarian assistance – Programs conducted to relieve or reduce the results of natural or manmade disasters or other endemic conditions such as human pain, disease, hunger, or privation that might present a serious threat to life or that can result in great damage to or loss of property. Humanitarian assistance provided by U.S. forces is limited in scope and duration. The assistance provided is designed to supplement or complement the efforts of the host nation civil authorities or agencies that may have the primary responsibility for providing humanitarian assistance. (Source: Joint Pub 1-02)

industrial mobilization – The transformation of industry from its peacetime activity to the individual industrial program necessary to support the national military objectives. It includes the mobilization of materials, labor, capital, production facilities and contributory items and services essential to the industrial program. (Source: Joint Pub 1-02). In the context of current military strategy it would include the surging and

expansion of production of ammunition, medical supplies, critical troop support item: e.g. food, specialized clothing, individual protection items, shelter, barrier and fortification materials, spare parts, and the maintenance of critical military items, line replaceable units, and weapons systems.

industrial preparedness program – plans, actions, or measures for the transformation of the industrial base, both government and civilian-owned, from its peacetime activity to the emergency program necessary to support national military objectives. It includes such industrial preparedness measures as modernization, expansion, preservation of production facilities and contributory items, and services for planning with industry. (Source: Joint Pub 1-02). In the context of current military strategy, preparedness measures could include business arrangements for the surging of critical items, maintenance, and services; production-sharing arrangements that allow the use of capacity normally used for commercial production; and rotational stock contracts for short shelf life items and selected purchases of long-lead material and specialized equipment if they are the most economic options in lieu of inventory of war reserve items.

information operations – Actions taken to affect adversary information and information systems while defending one's own information and information systems (Source: Joint Pub 1-02)

intelligence – The product resulting from the collection, processing, integration, analysis, evaluation, and interpretation of available information concerning foreign countries or areas. Information and knowledge about an adversary obtained through observation, investigation, analysis, or understanding. (Source: Joint Pub 1-02)

international logistics – The negotiation, planning, and implementation of supporting agreements between nations, their forces, and agencies. It includes furnishing logistic support (major end items, materiel, and/or services) to, or receiving logistic support from, one or more friendly foreign governments, international organizations, or military forces, with or without reimbursement. It also includes planning and actions relating to the intermeshing of a significant element, activity, or component of the military logistic systems or procedures of the United States with those of one or more of the foreign governments, international organizations, or military forces on a temporary or permanent basis. It includes the planning and actions related to the utilization of United States logistics, policies, systems, and/or procedures to meet requirements of one or more foreign governments, international organizations, or forces. (Source: Joint Pub 1-02)

Joint Monthly Readiness Review (JMRR) – A monthly assessment of military readiness to execute the National Military Strategy through a comprehensive, current overview of unit and joint readiness at all three levels of war: tactical, operational, and strategic. (paraphrased from CJCS Guide 3401, the CJCS Guide to the Chairman's Readiness System)

Joint Strategic Capabilities Plan (JSCP) – A planning document that contains guidance to the CINCs and Service Chiefs for accomplishing military tasks and missions based on current military capabilities. These assignments take into account the capability of available forces, intelligence information, and guidance issued by the Secretary of Defense. The JSCP directs the development of contingency plans to support national security objectives by assigning planning tasks and apportioning major combat forces and strategic lift capability to the combatant commanders. As a capabilities planning document, it represents the last phase of resource management. Also, called JSCP (Source: AFSC Pub 1)

lead agency – U.S. Government agency designated to coordinate the interagency oversight of the day-to-day conduct of an ongoing operation. The lead agency chairs the interagency working group established to coordinate policy related to a particular operation. The lead agency determines the agenda, ensures cohesion among the agencies, and is responsible for implementing decisions. (Source: Joint Pub 3-08, Note to be included in Joint Pub 1-02))

lines of communication – All routes, land, water, and air that connect an operating military force with a base of operations and along which supplies and military forces move. Also called a LOC. (Source: Joint Pub 1-02)

logistics – The science of planning and carrying out the movement and maintenance of forces. In its most comprehensive sense, those aspects of military operations that deal with: (a) the design and development, acquisition, storage, movement, distribution, maintenance, evacuation, and disposition of materiel; (b) movement, evacuation, and hospitalization of personnel; (c) acquisition or construction, maintenance, operation, and disposition of facilities; and (d) acquisition or furnishing of services. (Source: Joint Pub 1-02)

low-intensity conflict – Political-military confrontation between contending states or groups below conventional war and above the routine, peaceful competition among states. It frequently involves protracted struggles of competing principles and ideologies. Low-intensity conflict ranges from subversion to the use of armed force. It is waged by a combination of means employing political, economic, informational, and

military instruments. Low-intensity conflicts are often localized, generally in the third world, but contain regional and global security implications. (Source: Joint Pub 1-02)

materiel – All items (including ships, tanks, self-propelled weapons, aircraft, etc., and related spares, repair parts, and support equipment, but excluding real property, installations, and utilities) necessary to equip, operate, maintain, and support military activities without distinction as to its application for administrative or combat purposes. (Source: Joint Pub 1-02).

military capability – The ability to achieve a specified wartime objective (win a war or battle, destroy a target set). It includes four major components: force structure, modernization, readiness, and sustainability. (a) force structure - the numbers, size, and composition of the units that comprise our Armed Defense Forces, e.g., divisions, ships, airwings. (b) modernization - technical sophistication of forces, units, weapons systems, and equipment. (c) readiness - the ability to provide capabilities required by the combatant commanders to execute their assigned missions. This is derived from the ability of each unit to deliver the outputs for which it was designed. (d) sustainability - the ability to maintain the necessary level and duration of operational activity to achieve military objectives. Sustainability is a function of providing for and maintaining those levels of ready forces, materiel, and consumables necessary to support the military effort. (Source: Joint Pub 1-02)

military support to civil authorities – Those activities and measures taken by the Department of Defense to foster mutual assistance and support between the Department of Defense and any civil government agency in planning and preparedness for, or in the application of resources for response to, the consequences of civil emergencies or attacks, including national security emergencies. (Source: Joint Pub 1-02)

mobility – A quality or capability of military forces that permits them to move from place to place while retaining the ability to fulfill mission requirements. (Source: Joint Pub 1-02). In the context of current military strategy, this would include all intermodal assets that would be required to move the desired force structure and materiel needed to support deployed forces into a theater and to then receive, stage, and transport it to an operational area and integrate it into existing force structures within specified time frames required under the OPLAN.

mobilization – (1) The act of assembling and organizing national resources to support national objectives in time of war or other emergencies. (2) The process by which the Armed Forces or part of them are brought to a state of readiness for war or other national emergency. This includes activating the Reserve component as well as

assembling and organizing personnel, supplies, and materiel. This also includes one of the following categories: (a) selective mobilization - Expansion of the Armed Forces resulting from action by Congress and/or the President to mobilize the Reserve component units, individual Ready Reserve, and the resources needed for their support to meet the requirements of a domestic emergency that is not the result of an attack. (b) partial mobilization - Expansion of the active Armed Forces resulting from action by Congress (up to full mobilization) and/or the President (not more than 100,000) to mobilize Ready Reserve component units, individual reservists, and the resources needed for their support to meet the requirements of a war or other national emergency involving an external threat to the national security. (c) full mobilization - Expansion of the active Armed Forces resulting from action by Congress and the President to mobilize all Reserve component units in the existing approved force structure, all individual reservists, retired military personnel, and the resources needed for their support to meet the requirements of war or other national emergency involving an external threat to the national security. (d) total mobilization - Expansion of the active Armed Forces resulting from action by Congress and the President to organize and/or generate additional units or personnel, beyond the existing force structure, and the resources needed for their support, to meet the total requirements of a war or other national emergency involving an external threat to national security. (Source: Joint Pub 1-02)

National Command Authorities (NCA) – The President and the Secretary of Defense or their duly deputized alternates or successors. Also called the NCA. (Source: Joint Pub 1-02)

National Communications System (NCS) – The NCS consists of the telecommunications assets of the Federal Government organizations represented on the interagency NCS Committee of Principals and an administrative structure consisting of the executive agent, the manager, and the NCS Committee of Principles. The President further directed that the Secretary of Defense serve as executive agent. (Source: DoDD 5100.41)

National Defense Reserve Fleet – (a) Includes the Ready Reserve Force, a fleet composed of ships acquired and maintained by the Maritime Administration (MARAD) for use in mobilization or emergency. (b) Less than the Ready Reserve Force, a fleet composed of older dry cargo ships, tankers, troop transports, and other assets in the MARAD's custody that are maintained at a relatively low level of readiness. They are acquired by MARAD from commercial ship operators under the provisions of the Merchant Marine Act of 1936. They are available only on mobilization or congressional

declaration of an emergency. Because the ships are maintained in a state of minimum preservation, activation requires 30 to 90 days and extensive shipyard work for many. Also called the NDRF. (Source: Joint Pub 1-02)

national emergency – A condition declared by the President or the Congress by virtue of powers previously vested in them that authorize certain emergency actions to be undertaken in the national interest. Action to be taken may include partial, full, or total mobilization of national resources. (Source: Joint Pub 1-02)

Noncombatant Evacuation Operations (NEO) – Operations directed by the Department of State, the Department of Defense, or other appropriate authority whereby noncombatants are evacuated from foreign countries when lives are endangered by war, civil unrest, or natural disasters to safe havens or to the United States. Also called NEO. (Source: Joint Pub 1-02)

operation – A military action or the execution of a strategic, tactical, service, training, or administrative military mission; the process of carrying on combat, including movement, supply, attack, defense, and maneuvers needed to gain the objectives of any battle or campaign. (Source: Joint Pub 1-02)

operation plan – Any plan, except for the Single Integrated Operational Plan, for the conduct of military operations. Plans are prepared by combatant commanders in response to requirements established by the Chairman of the Joint Chiefs of Staff and by commanders of subordinate commands tasked by the establishing unified commander. Operation plans are prepared in either a complete format (OPLAN) or as a concept plan (CONPLAN). The CONPLAN can be published with or without time-phased force deployment data (TPFDD) file.

OPLAN – An operation plan for the conduct of joint operations that can be used as a basis for development of an operational order (OPORD). An OPLAN identifies forces and supplies required to execute the CINC's Strategic concept and a movement schedule of those resources to the theater of operations. The forces and supplies are identified in TPFDD files. OPLANS will include all phases of the tasked operation. The plan is prepared with the appropriate annexes, appendices, and TPFDD files as described in the Joint Operation Planning and Execution System (JOPES) manuals containing policies, procedures, and formats. (Source: Joint Pub 1-02)

peacekeeping – Military operations undertaken with the consent of all major parties to a dispute, designed to monitor and facilitate implementation of an agreement (cease fire, truce, or other such agreement) and support diplomatic efforts to reach a long-term political settlement. (Source: Joint Pub 1-02)

Presidential Call-up – Procedures by which the President brings all or a part of the Army or Air National Guard into active Federal service of the United States during a national emergency. (Title 10 U.S.C. section 12406 and Chapter 15 of Title 10 of the U.S.C) (Source: Joint Pub 4-05; also approved for inclusion into the next edition of Joint Pub 1-02)

Presidential Selected Reserve Call-up Authority – Provisions of a public law (U.S.C. Title 10, section 12304) that provides the President a means to activate, without a declaration of national emergency, not more than 200,000 members of the Selected Reserve for not more than 270 days to meet the support requirements of any operational mission. Members cannot be used for disaster relief or to suppress insurrection. This authority has particular utility when used in circumstances in which the escalatory national or international signals of partial or full mobilization would be undesirable. Forces available under this authority can provide a tailored limited-scope, deterrent, or operational response, or may be used as a precursor to any subsequent mobilization. Also called PRSC. (Source: Joint Pub 1-02)

readiness – The ability of U.S military forces to fight and meet the demands of the national military strategy. Readiness is the synthesis of two distinct but interrelated levels: (a) Unit readiness - The ability to provide capabilities required by the combatant commanders to execute their assigned missions. This is derived from the ability to deliver the outputs for which it is designed. (b) Joint readiness - The combatant commander's ability to integrate and synchronize ready combat and support forces to execute his or her assigned missions. (Source: Joint Pub 1-02)

Ready Reserve – The Selected Reserve, Individual Ready Reserve, and Inactive National Guard liable for active duty as prescribed by law (U.S.C, Title 10 section 10142, 12301, and 12302. (Source: Joint Pub 1-02)

Reserve components – (a) The Army National Guard of the United States; (b) The Army Reserve; (c) the Naval Reserve; (d) the Marine Corps Reserve; (e) the Air National Guard of the United States; (f) the Air Force Reserve; (g) and the Coast Guard Reserve. (Source: Joint Pub 1-02)

Selected Reserve – Those units and individuals within the Ready Reserve designated by their respective Services and approved by the Joint Chiefs of Staff as so essential to initial wartime missions that they have priority over all other Reserves. All Selected Reservists are in active status. The Selected Reserve also includes persons performing initial active duty for training. (Source: Joint Pub 1-02)

Senior Readiness Oversight Council (SROC) – Council membership includes the Deputy Secretary of Defense, the Vice Chairman of the Joint Chiefs of Staff, the Chiefs of the Services, the Under Secretaries of Defense and of the Military Departments, and other senior OSD officials with interest in readiness. The SROC brings the senior civilian and military leadership together in monthly meetings to review significant readiness topics. (Source: Paraphrased from the CJCS Guide 3401, CJCS Guide to the Chairman's Readiness System)

Single Integrated Operational Plan (SIOP) – The OPLAN for strategic warfare.

sustainment – The provision of personnel, logistics, and other support required to maintain and prolong operations in combat until successful accomplishment or revision of the mission or of the national objective (Source: Joint Pub 1-02)

time-phased force and deployment data – The Joint Operation and Execution System (JOPES) data base portion of an operation plan contains time-phased force data, non-unit-related cargo and personnel data, and movement data for the operation plan including: (a) in place units; (b) Units to be deployed to support the operation plan with a priority indicating the desired sequence for their arrival at the port of debarkation; (c) routing of forces to be deployed; (d) estimates of non-unit-related cargo and personnel movements to be conducted concurrently with the deployed forces.; (e) estimate of transportation requirements that must be fulfilled by common-user lift resources, as well as those requirements that can be fulfilled by assigned or attached transportation resources. Also called TPFDD (Source: Joint Pub 1-02)

Voluntary Intermodal Sealift Agreement (VISA) – The objective is to provide the Department of Defense with assured access to U.S. flag assets, both vessel capacity and intermodal systems, to meet DoD contingency requirements. VISA is to replace the Sealift Readiness Program. This new concept is modeled after DoD's civil reserve aircraft fleet (CRAF) program. Carriers will contractually commit specified portions of their fleet to meet time-phased DoD contingency requirements. (Source: Joint Pub 1-02)

war reserves – stocks of materiel amassed in peacetime to meet the increase in military requirements consequent upon an outbreak of war. War reserves are intended to provide the interim support essential to sustain operations until resupply can be effected. (Source: Joint Pub 1-02)

weapons of mass destruction (WMD) – Arms control terms that refer to weapons that are capable of a higher order of destruction and/or being used in such a manner as to destroy large numbers of people. Can be nuclear, chemical, biological, and radiological weapons, but excludes the means of transporting or propelling the weapon where such means are separable and divisible from the weapon. (Source: Joint Pub 1-02)

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